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THE DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES

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ADVISORY BOARD MEETING, taken by Stacey
L. Johnson, CSR and Commissioner for the State
of Alabama at Large, at the State Capital
Auditorium, 600 Dexter Avenue, Montgomery,
Alabama, on the 6th day of March, 2004,
commencing at 9:00 A.M.

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1 APPEARANCES
2 FOR THE ADVISORY BOARD:
3 DAN L. MOULTRIE - CHAIRMAN
4 M. BARNETT LAWLEY
5 RON SPARKS
6 DR. GAINES SMITH
7 LOUIS W. COLES
8 JOHNNY M. JOHNSON
9 W. GRANT LYNCH
10 BILL HATLEY
11 JAMES W. PORTER, II
12 ROSS M. SELF
13 DR. A. WAYNE MAY
14 MARVIN WILLIS
15 GEORGE HARBIN

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1 CHAIRMAN MOULTRIE: The March 6,
2 2004 meeting of the conservation advisory
3 board will come to order. I'd like to welcome
4 everyone to Montgomery, and I'm glad that
5 you're able to be here.

6 The invocation will be given by Johnny
7 Johnson. Johnny.

8 MR. JOHNSON: (Invocation given.)

9 CHAIRMAN MOULTRIE: Thank you,
10 Johnny.

11 I would like to introduce everyone
12 again to our parliamentarian, Ms. Tally
13 Dillard. This is her second time to be our
14 parliamentarian. Without her, I assure you, I
15 would be lost, as would most of the board.
16 But with Ms. Dillard's help, we'll continue
17 running the advisory board meetings by
18 parliamentary procedure. Everyone should
19 appreciate the time and efforts that she
20 extends to the advisory board and the citizens
21 of Alabama.

22 For the next order of business, I'd
23 like to call on Commissioner Barnett Lawley to

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1 introduce the members of the board.
2 COMMISSIONER LAWLEY: First of all,
3 I want to thank everybody for coming out on a
4 Saturday. This meeting is vital to us; the
5 information that we receive, suggestions, your
6 problems. It's the main way that we have for
7 finding out about what's going on in the state
8 of Alabama. It's hard to know sitting in that
9 office across the street. I appreciate
10 everybody being here and giving us this
11 Saturday.

12 As I call your name, if you'd please
13 raise your hand. Dr. Gains Smith, Mr. Ron
14 Sparks, Mr. Ross Self, Louise Coles, Dr. Wayne
15 May, Jim Porter, Bill Hatley, Mr. Johnny
16 Johnson, Mr. Grant Lynch, Mr. Marvin Willis,
17 Mr. George Harbin.

18 CHAIRMAN MOULTRIE: Thank you,
19 Mr. Lawley.

20 Are there any corrections to the
21 minutes of the May 17, 2003 advisory board
22 meeting? If not, the minutes stand approved
23 as read.

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1 The next order of business will be the
2 hearing of the departmental reports. I'd like
3 to call on Commissioner Lawley again to
4 introduce the departments.

5 COMMISSIONER LAWLEY: We're going to
6 start with Vern Minton, Marine Resources
7 Division.

8 MR. MINTON: Thank you,
9 Commissioner, Mr. Chairman, members of the
10 board, ladies and gentlemen. I too would like
11 to tell you how much I appreciate everyone
12 coming out. Driving up this morning through
13 that rain makes you appreciate just getting
14 here after a while.

15 The Marine Resource Division would like
16 to report on some activities that we did last
17 year, just to kind of bring you up to speed of
18 where we're at.

19 We're nearing completion of an
20 eight-inch saltwater pipeline, which will be
21 furnishing the center with a high-quality
22 saltwater from the Gulf of Mexico. This is
23 being positioned near the Gulf State Park

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1 pier, and I want to thank Mark Easterwood for
2 the cooperation they've given us in allowing
3 us to put that pipeline there.

4 The high-quality water should allow us
5 to start mass producing Red Snapper and some
6 other species. We hope to use these for
7 localized stock enhancement and possibly help
8 us on the issues associated with the shrimp
9 industry.

10 We have also just completed the Road to
11 Reef project. I've been reporting to you for
12 the last several years about Roads to Reefs.
13 We have now completed ten inshore reefs.
14 These reefs have been a cooperative project
15 between us and the Mobile County Wildlife
16 Federation, Coastal Conservation, and the
17 South Alabama Seafood Association, Alabama
18 Seafood Association.

19 We also have completed nine new
20 offshore reefs. These have been made possible
21 through local concrete pipe manufacturers,
22 local road builders associations, interested
23 local individuals. They're in water depths --

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1 various water depths. In all about eighteen
2 miles from the Mobile main pass.

3 I'm proud to report finally the
4 enforcement section has now hired four new
5 officers. That's about a twenty-five percent
6 increase for us. We're almost back to a
7 strength that we've not seen since the 1970s.
8 So we're glad to see that. All these officers
9 will be required to pass the marine law
10 enforcement training program. This is in
11 addition to the State's requirement for the
12 minimum standards school for law enforcement
13 officers. This marine training is done in
14 Glencoe, Georgia. It's a four-week
15 comprehensive program with a rigorous course
16 in certification of boat operation, pursuit
17 and rules of waterways, seamanship, and so
18 forth. In addition, they'll take a course in
19 officer safety, U.S. Coast Guard school,
20 videotography of law enforcement, criminal
21 justice technology, basic shellfish
22 sanitation, law enforcement, fine, and boating
23 in training.

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1 You'll be hearing a lot about in the
2 next couple of weeks about the new established
3 World Championship Red Snapper Tournament.
4 This has been put together by the group -- the
5 Orange Beach Fishing Association. Beginning
6 the first day of snapper season through the
7 first thirty days, they will be held in
8 contest for the largest Red Snapper caught and
9 there will be a large award and prizes of
10 twenty-five thousand dollars for first place
11 fisherman, twenty-five thousand dollars for
12 first place boat. All in all, I believe
13 they're going to be awarding about two hundred
14 thousand dollars in prizes. They have already
15 donated fifty thousand dollars to our division
16 to use as matching funds for artificial reef
17 construction. We've been working very closely
18 with them. We think it's going to be a good
19 tournament, not only for the area, but also
20 for the offshore fishing access areas.

21 Speaking of access areas, on Dolphin
22 Island was just finished up. This is now one
23 of the premier areas to come in, launch your

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1 boat, and go offshore. This was done as a
2 cooperative program between Dolphin Island
3 Park, the Beach Board, Mobile County, and
4 state lands.

5 We have just completed again our
6 outreach booklets, including the 2004 Tide
7 calendars marine activity book, and also for
8 the first time, we have had an art contest for
9 fourth and fifth graders for Mobile and
10 Baldwin County. We received about three
11 hundred and seventy-five entrants for that,
12 and you should have received these in your
13 briefing book. For the public, they're out
14 here on the tables for people to get. We're
15 very proud of that. I hope to move that on in
16 the future. This spring, the kids' drawings
17 will be exhibited at local art museums to kind
18 of showcase marine resources and the use of
19 those resources.

20 Finally, in your presentation, the
21 division, in cooperation with Bayou La Batre,
22 created some reefs in the (inaudible) Bay.
23 About fourteen thousand cubic yards of oyster

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1 shell and crushed limestone were placed on
2 hard-bottom areas to create reefs to test -- I
3 emphasize to test -- the concept of dredging
4 oysters for harvest. A dredge, in this
5 concept, is basically just a large rake-type
6 structure that's pulled across to harvest it.
7 They're being used in other areas --
8 Mississippi, for example -- to harvest, and we
9 think, under the proper management conditions
10 and proper control, it will provide an avenue
11 to allow people to harvest these without
12 having to use the tong. And also sometimes
13 people get to where they can physically not
14 handle that. So we're going to recommend
15 that. There will be speakers on that later.

16 Mr. Chairman, Commissioner, that
17 concludes my report. I would like to ask a
18 few moments for David Yeager to talk about the
19 nursery areas. Mr. Yeager has to catch a
20 flight to Washington, D.C. in a couple of
21 hours, and I would appreciate your indulgence
22 there.

23 COMMISSIONER LAWLEY: That's fine.
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1 MR. MINTON: Any questions from the
2 board for me?

3 MR. SPARKS: Yes, sir. You were
4 talking about the Red Snapper earlier. Are
5 y'all working with any of the high schools on
6 -- I mean, we have like Alma Bryant, for
7 example, that has a great aquaculture
8 program. Are we working with them and
9 allowing them to do research or anything like
10 that?

11 MR. MINTON: Yes, sir. We're
12 working closely from the beginning of that
13 project -- when they sat down with the members
14 of board, they talked about using aquaculture
15 as a training mechanism. We agreed to supply
16 them with Red Snapper fingerlings because it's
17 a nice high-profile fish and it gets people
18 interested. One of the beauties of that
19 program that has come out is that although
20 it's a technical/vocational -- it's went from
21 there to actually the brighter students in the
22 school that went into this, and as you know
23 from aquaculture, it not only teaches you

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1 about raising fish, it teaches you about pumps
2 and pipes and all those things. Because of
3 the program in the first year there were four
4 students that went to Auburn University that
5 had no intention of going to college at all.
6 So it's got a lot of benefits. Right now
7 we're hoping, along with the South Alabama
8 Foundation, to expand that into other parts of
9 the state.

10 MR. SPARKS: And that would be --
11 and I appreciate you working with those
12 schools, and I certainly would like to ask
13 that we consider looking at other schools.
14 Aquaculture is extremely important to the
15 state. It's important to agriculture, and
16 there's an awful lot of good kids that have
17 done a great job in that field that I think is
18 part of the industry that can help us all.

19 Thank you.

20 MR. MINTON: Other questions? No
21 questions.

22 MR. MINTON: Thank you.

23 MR. YEAGER: Mr. Chairman, members
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1 of the board, Commissioner, thank you for
2 accommodating my schedule today. I really
3 appreciate that. I represent a diverse
4 constituency. Members of local and state and
5 federal government are on our boards,
6 commercial interests, conservation groups,
7 academic institutions. You name it. They're
8 at the Mobile Bay National Estuary Program
9 table. We're one of twenty-eight programs
10 around the nation's borders with the purpose
11 of promoting the stewardship of the living
12 resources and the water quality of our
13 nation's estuaries. My purpose this morning
14 is simply to advise the conservation advisory
15 board that we have initiated some public
16 discussion in the local area in Mobile
17 regarding the establishment of some no troll
18 areas in upper Mobile Bay and Grand Bay. The
19 issue is not really a new one. We hope that
20 by advising you of this issue, of these
21 discussions, that it will expand the
22 opportunities for public comment both for and
23 against. It's not a new issue. Discussions

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1 have occurred between a number of groups since
2 at least 1997, and contrary to this morning's
3 Mobile Press Register, this is not an issue
4 that is owned by the National Estuary Program
5 nor are we particularly its advocate. We want
6 to work with both sides to try and develop a
7 community position on it. The reasons that
8 have been advanced for disclosure are reduced
9 by catch, to expand nursery areas for the
10 shrimp, to provide additional areas where
11 there's no shrimp-crab conflict, and to the
12 preserve some of the grass beds that are for
13 the nursery areas. I have three objectives in
14 initiating these discussions, and that is to
15 provide a local forum for public discussion of
16 the issue and open it up for comment by both
17 sides, to promote and review the collection
18 and analysis of relevant data on the subject
19 and to try to, as I said before, develop a
20 community position on the issue.

21 Now, why are we involved with the
22 Mobile Bay Estuary Program? We work under a
23 state- and federally-approved conservation

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1 management plan that was developed by the
2 community in the Mobile and Baldwin County
3 areas. That charter includes several actions;
4 hosting workshops to assess the need for
5 changes in regulations and enforcement,
6 working with the Department of Conservation to
7 continuously examine data to determine if
8 additional limited or no-take zones are
9 necessary, and to protect or restore submerged
10 aquatic vegetation, and finally to examine the
11 impact of by-catch. So we really have two
12 objectives and that -- the overall goals, and
13 that's to increase fisheries resources and to
14 provide optimum habitat for those resources.

15 Finally, I just want to identify this
16 as a potential issue of concern that might
17 come up before your board in later times.

18 And I thank you very much for your
19 indulgence. Thank you.

20 COMMISSIONER LAWLEY: Thank you,
21 David.

22 Rick Liles from our administrative
23 division.

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1 MR. LILES: Good morning,
2 gentlemen. When you arrived this morning, you
3 had a Manila folder in front of you. If you
4 will refer to that. We're doing something
5 this morning in my experience we have not done
6 before, and that is we're presenting to you a
7 limited amount of financial information
8 regarding the operation. If you'll refer to
9 that. It should be two sheets in that packet
10 that looks something like this. What is
11 presented on EEO form 1 is a very brief
12 summary of a very complex reporting process.
13 And those of you that are like me that become
14 concerned about brackets or red numbers in any
15 financial reports should not be concerned in
16 this case. Those fluctuations deal with
17 appropriation levels, and the changes are
18 largely because of increases in federal
19 revenues over previous years for single-year
20 funding programs like CIAP, the Coastal Impact
21 Assistance Program. They are not being
22 refunded by the federal government, so the
23 changes you see, particularly in the bracket

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1 in the first line, reflects that. It also
2 reflects decreases in the interest earnings.
3 Over the last two years, as all you know
4 interest rates have dropped. I think what you
5 can draw from this first page of the report is
6 an understanding of what the carry-over is
7 each year for the entire department, what the
8 revenues are -- operating revenues are, and
9 what the total departmental budget is. As you
10 can see forecasted for '05 is one hundred
11 eleven million four oh seven six oh six. On
12 the second page of the document what I hoped
13 you would take from that is total expenditure
14 levels from the first bracket there. And,
15 again, these for all six -- five operating
16 divisions in the administration. You also see
17 a line that says total number of employees. I
18 think that may be of interest to you. And
19 then sources of funds. We always say you can
20 see very little in one case. So some money
21 was appropriated by the legislature to the
22 Department of Conservation, not for any
23 purposes that we have. But I think this gives

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1 you a very general information about the
2 department's budget, numbers of employees,
3 sources of funds, and things of this kind.
4 Mr. Chairman, it may be at a later date that
5 if the board members are interested give a
6 much more detail presentation on the plans of
7 the department. And I'll be glad to take any
8 questions that you may have about those two.
9 The second item in your packet would
10 look something like this. I hope most of you
11 have had an opportunity to see the commercials
12 that we're running on commercial television.
13 I hope you saw some of those last night. This
14 is an explanation of that program. There is a
15 bar chart on the last page that deals with the
16 specific areas and the time that we will be
17 addressing that subject matter through this
18 commercial advertising marketing program.
19 Attached to that we've just started a new
20 hunting piece that began March 3rd, I
21 believe. Attached to that is the actual show
22 times, cities, and stations where these
23 commercials will be running, so if you have

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1 any interest in catching those...

2 A year ago when we met with many of you
3 for the first time, some of the members of
4 board said, when are we going to do something
5 about our website. Well, we have. And in
6 that packet is the home page. We launched
7 that live this week, outdooralabama.com.
8 There are still -- it's a brand new
9 architecture. It's supposed to be much more
10 user friendly, and there are still some gaps
11 in the architecture in filling in information
12 that will be there. So not all of it's
13 completely live, but I direct your attention
14 to that. Hopefully, you'll use it. I hope
15 the public will use it. There's a great deal
16 of information there.

17 And then finally you received earlier a
18 report from the legal division from
19 Mr. Goodwyn on contracts, litigation, and the
20 rest, and that's contained in your packet.
21 And I'll be glad to try to answer any
22 questions that you may have regarding any of
23 those subjects.

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1 COMMISSIONER LAWLEY: Thank you,
2 Rick. Basically what we tried to hit was the
3 high points of what we're doing. For any of
4 those that you're interested in and need more
5 information, we can furnish you all the
6 details that you might need. I want to point
7 one thing out, Vern, about the aquaculture and
8 coastal center and the people in the gulf.
9 And it's with the reef program that I think
10 everybody's aware of. It's been going on for
11 many years. But Alabama has a little over
12 four percent of the land shore area on the
13 Gulf of Mexico. It's my understanding over
14 forty-five percent of the Red Snapper out of
15 the gulf comes off the shore of Alabama. So I
16 would say it's quite successful, and you ought
17 to be commended on the efforts that you do.

18 Also, in April, April the 2nd, on the
19 Outdoor Channel, we have a TV show starting
20 that showcases Alabama and our hunting and
21 fishing like -- it's fully sponsored, and I
22 think you'll enjoy it. It's going to be at
23 six-thirty starting on Friday night on April

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1 the 2nd. I wish everybody would tune in and
2 enjoy that. We're trying to show people what
3 we have in Alabama and to a great degree the
4 people in Alabama what we have in Alabama
5 because we're trying to promote all of our
6 natural resources and opportunities that are
7 here, and we do want people to enjoy it.

8 I now call on Corky Pugh, wild life and
9 freshwater fisheries division.

10 MR. PUGH: Good morning, gentlemen.
11 The wild life and freshwater fisheries
12 division continues our aggressive outreach
13 efforts and the retention and recruitment of
14 hunters and anglers. There were sixty-four
15 community fishing events this past year with
16 eleven thousand plus participants. Those were
17 mostly kids under the age of sixteen there
18 with their parents or adults who brought
19 them. We continued our statewide youth dove
20 hunt program. There were thirty-five sites
21 and nine hundred and eighty-nine youth
22 hunters. Each one of them brought there by an
23 adult. Twenty-eight point three of the

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1 percent of youth were first-time hunters. And
2 the percentage is down from previous years,
3 but what's happening is we're getting repeat
4 customers and that's exactly what we want.
5 We'll get you schedules of when those
6 community fishing events are occurring and
7 when those youth dove hunts are happening, and
8 I would strongly encourage you to attend those
9 and see what our folks are doing, see what our
10 partners are doing with us.

11 We've started the archery in schools
12 programs. We're the second state in the
13 nation to do that. We followed Virginia's
14 lead -- or Kentucky. I'm sorry. It's a
15 partnership between our division and the
16 Department of Education. Sixty teachers have
17 been certified to teach this new curriculum as
18 part of the P.E. program in Alabama public
19 schools. The program focuses on teaching
20 Olympic-style archery to students in grades
21 five through eight. It's currently in
22 twenty-four Alabama schools. We've never been
23 bashful about stealing a good idea from

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1 another state, and that one is an award
2 winner. Our outreach programs, the community
3 fishing events and youth dove hunts, have been
4 recognized nationally as leading efforts in
5 that whole area of endeavor.

6 Wildlife disease issues continue to be
7 of a grave concern. We participated in a
8 whitetail deer chronic wasting disease
9 surveillance study with the state vet's
10 office. Mr. Sparks, we appreciate your
11 support and cooperation in that. More than
12 seven hundred randomly collected specimens in
13 all areas of Alabama were submitted to Auburn
14 University for testing. Thankfully, we don't
15 have CWD in Alabama. We don't want it. We
16 have strict regulations in place, have had
17 since 1973, prohibiting the importation of
18 whitetails or other surrogates into the
19 state. That regulation has served us well.
20 It's very important to maintain the integrity
21 of it.

22 Alabama is one of twenty-six states
23 participating in a nationwide dove banding

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1 survey. Our wildlife section personnel
2 trapped, banded, and released nine hundred and
3 forty morning doves as part of that effort.

4 As far as enforcement activity, we went
5 through hunting season this year, through deer
6 season, carrying twenty-three vacancies. But
7 due to the leadership that's been shown in
8 that division and increased flexibility in
9 terms of being able to deploy people where we
10 need them, arrests were up sixty-five percent
11 for serious violations, hunting over bait, and
12 night hunting. Sixty-five percent increase in
13 arrests for those activities. The credit for
14 that goes to our field enforcement people and
15 their supervisors.

16 We had a meeting with a group of
17 citizens in Marengo County a week or so ago.
18 Gary Moody, our wildlife chief, attended
19 that. There are some concern from some of the
20 citizens there about deer population numbers.
21 Dr. May, I know that you attended that
22 meeting, and we truly appreciate it when you,
23 as members of the board, get out with our

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1 folks and attend those kinds of public
2 meetings. And I know that several of y'all
3 are doing that. That brings a whole lot to
4 the table.

5 As of February the 9th, there has been
6 one fatal and ten nonfatal firearms-related
7 hunting accidents during the 2003/2004 hunting
8 season. To date, this has been the safest
9 hunting season on record in Alabama. Hunter
10 ed is working. There were three hundred and
11 fifty-nine hunter ed courses taught during
12 fiscal year '03 that resulted in eleven
13 thousand students graduating from hunter ed.
14 That eleven thousand number is what we
15 typically hit during the year. We now have a
16 CD-ROM approach for hunter ed, and we're
17 working diligently to try to make it more
18 accessible to people, more easily
19 accomplished. What we have to do is balance
20 that against the requirements in states across
21 the nation for reciprocity on hunter ed so
22 that if somebody completes hunter ed in
23 Alabama, they're not going to go to another

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1 state and not be recognized as having
2 completed a good course. I'll be happy to
3 answer any questions that any of you have of
4 me.

5 MR. SPARKS: I just want to make a
6 comment. I want to thank y'all for working
7 with the Department of Agriculture and
8 Industries on the CDW surveillance program. I
9 think it's important to the state of Alabama
10 to make sure that our deer herds stay healthy,
11 and our lab takes that seriously and make it a
12 priority to make sure we check those specimens
13 that are coming in. The reason I say that is
14 because I've had the opportunity to sit down
15 and to speak with the commissioner of
16 agriculture in Colorado and talk about some of
17 the concerns problems that they've had out
18 there with CDW, and that's the one thing that
19 we don't want to see happen in Alabama because
20 it would be devastating, not only to our deer
21 population, but it would be devastating to our
22 agricultural fields when people stop hunting,
23 people stop coming to Alabama. So we take the

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1 CDW program very serious.
2 Also, too, I want to make this
3 comment. You know, last year -- I grew up in
4 northeast Alabama. I grew up on Weiss Lake.
5 I caught many of those croppie that come out
6 of that lake. And I guess the reason that I
7 get some of the calls that I do is because
8 people know that I did grow up on that lake.
9 And I want to thank you for working with me
10 when I called you last year and told you about
11 a problem that I felt like we had with
12 out-of-state people coming in to Weiss Lake
13 and possibly taking more croppie than they
14 should. And I'd like to ask that you put that
15 on your radar screen again this year and make
16 sure that they abide by the rules on that
17 lake. It's a good lake for Alabama, and it's
18 a good lake for people to fish. And want it
19 to stay that way. Thank you for working with
20 me.

21 MR. PUGH: Thank you, sir. Thank
22 you.

23 COMMISSIONER LAWLEY: Thank you,
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1 Corky. Corky and his division, I want to
2 point out, maintains several handicapped
3 hunting areas throughout the state. Alabama
4 is the only state in the United States that
5 provides handicapped hunting areas. It's a
6 great program and we're getting a lot of
7 comments and positive feedback from that. And
8 I appreciate the work that y'all do.

9 Major Larry Kelley with the Marine
10 Police.

11 MAJOR KELLEY: Good morning,
12 gentlemen. I think each one of you were given
13 a report that we have a little bit detailed
14 report on all of the activities and the
15 challenges and the accomplishments of the
16 Marine Police Division. It's a lot more
17 detailed than what I've got here. So I'd ask
18 all of you if you would to look at that and
19 know that what we're doing is a great
20 challenge for us to try to meet all the
21 obligations that we're faced with on a daily
22 basis. The most significant problem that
23 we're facing right now in the marine police

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1 division is a shortage of personnel to
2 funding. I've got thirty-two officers that
3 are patrolling one point two million acres of
4 water. It's impossible, impossible for them
5 to be everywhere they need to be. We're in
6 the process right now of trying to fill six of
7 those vacancies. Captain Huffaker and I are
8 sending out availability letters and trying to
9 get people in that are interested in going to
10 work with us.

11 The program that Commissioner Lawley --
12 the reorganization program that he engineered
13 made it possible for all the officers in the
14 marine police division and the officers in the
15 wildlife and freshwater fisheries division to
16 work together and assist each other better
17 than we've ever done before. This program --
18 there was a lot of apprehension about it, but
19 this program has gone through as smoothly as
20 any programs we've ever seen. And I've
21 noticed in my officers -- and I'm sure Allen
22 has too -- I've noticed there's a lot of
23 excitement in our officers that they are --

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1 just because of this change and this
2 reorganization. This program itself helped
3 our -- each of our divisions to deal with our
4 shortage in a way that's never been possible
5 to us in the past. If I have an area that
6 needs patrolling, Allen can help me out by
7 having some of his officers patrol that area
8 for us, and then likewise, we help them with
9 the wildlife and freshwater fishery
10 department. Now, everybody -- all these
11 shortages don't go unnoticed by some of the
12 people that capitalize on this type of
13 situation. The boat theft people -- although,
14 this past year, we recovered a quarter of a
15 million dollars worth of stolen boats and
16 related equipment. We made thirty-two felony
17 arrests. And even though we've had that many
18 arrests and recovered that much equipment, we
19 also conducted sixty-one more boat theft
20 cases. And, Mr. Sparks, in your area down
21 there in six months time, they stole three
22 quarters of a million dollars worth of boats,
23 motors, and trailers and related equipment

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1 just from Baldwin and Mobile County. We have
2 two officers statewide who works this boat
3 theft. There's some legislation that will
4 possibly be introduced this year, title bills
5 for boats, and also another bill that we've
6 been trying to get passed for several years
7 that will make it a -- prohibit people from
8 offering the hull identification numbers on
9 their boats and trailers and other related
10 equipment. In some cases -- in one case for
11 sure that I know about in Marshall County, we
12 arrested an individual for stealing a boat,
13 convicted him, and in the same day, we had to
14 give him the boat because we couldn't prove
15 who the owner was. Now, there's something
16 wrong with that process. If we can get either
17 the title bill or this other bill passed, at
18 least we'll have a way of doing the right
19 thing with this recovered equipment. The
20 title bill will help us find -- all the people
21 that owned this boat and possibly run down the
22 present owner, but right now we're just at a
23 loss on it. And I just don't like giving back

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1 stuff to the fellow that stole it. That just
2 don't make good sense to me.

3 In spite of all these shortages and
4 shortages of funds and personnel, the
5 education and the enforcement programs
6 conducted by our officers has helped reduce
7 the boating fatalities tremendously. The boat
8 operators license law that was passed in
9 1994. This is the ten-year anniversary of
10 it. It did not go into effect -- we did not
11 start enforcing the law until 1998. And since
12 1998, there's been a reduction in fatalities
13 by forty-seven percent, and that's quite an
14 accomplishment. We've got better DUI laws.
15 We're making more DUI cases. And in more than
16 fifty percent of our accidents alcohol is
17 involved. So if we can get these DUI
18 operators off the water and with this license
19 involved we can take their license and approve
20 it for operating these vessels, we can --
21 there will be a significant drop in these
22 fatalities.

23 That's all I have. Have you got any
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1 questions that I can answer?

2 Thank you.

3 COMMISSIONER LAWLEY: Good job.

4 Thank you, Major Kelley. I'm going to break
5 the pattern just a second here. Riley Smith,
6 my predecessor and friend, would like to
7 address -- he was supposed to have been here
8 earlier and -- I won't mention that, Riley.

9 COMMISSIONER SMITH: Thank you,
10 Commissioner, Mr. Chairman. Gentlemen, a few
11 weeks, a month or so ago, I was asked to get
12 involved with the Coastal Conservation
13 Association. I've been a member of CCA for, I
14 guess, ever since I came to Alabama, but never
15 been active in the operation of it. I did
16 accept the presidency of the Mobile chapter,
17 but there was also -- part of that
18 consideration was that I would also be the
19 liaison CCA of Alabama and the Department of
20 Conservation and the conservation advisory
21 board. I want to assure you that the Coastal
22 Conservation Association wants to work with
23 the Department of Conservation and with the

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1 conservation advisory board. That might be
2 contrary to what you've heard in the past, but
3 I assure you that that's over. And, again, I
4 come here today for two reasons. One to
5 assure you we want to work with you, and all
6 we want to do is to preserve and enhance the
7 coastal areas of Alabama and work with Vern
8 and Corky and anybody else down that way and
9 y'all, of course, to do that. I understand
10 Bill Yeager with Mobile Bay NET has spoken to
11 you briefly about protection of some of the
12 upper areas of the bay from shrimping. I
13 think there's data to prove that if these
14 areas are closed that the juvenile fin fish
15 will be protected. These shrimp nurseries and
16 staging areas will be protected. The grass
17 beds that so so long have been destroyed or
18 run over, if you will, and hurt by pollution
19 coming down the river will further be
20 protected, and we hope will be able to grow.
21 We're not going to lose the shrimp. They're
22 going to get bigger. They'll move down the
23 bay. The shrimp will still be harvested. And

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1 there's some conflict with the crabbers and
2 the shrimpers up in that part of the bay.
3 We're going to continue to facilitate and hold
4 open meetings with all parties that have an
5 interest in this issue and be prepared to talk
6 with you in more detail at the next advisory
7 board meeting, but we just wanted to get this
8 up in front of you because it's important and
9 we feel it's the right thing to do for
10 resources.

11 And with that said, I thank you for
12 your time.

13 COMMISSIONER LAWLEY: Thank you,
14 Riley. We appreciate you being here.

15 I call on Jim Griggs, the most capable
16 lands division director.

17 MR. GRIGGS: Mr. Chairman, members,
18 I'll make this very brief. I previously
19 provided you a summary of what the state lands
20 division has been involved in, and I'll just
21 cover the high points of it. As you know, one
22 of the big things we do is manage offshore
23 natural gas. This year, we generated a record

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1 high in natural gas royalties in settlements.
2 The total amount of money we generated, both
3 in offshore natural gas as well as inland land
4 management is two hundred and eighty-eight
5 million dollars. About twenty-seven million
6 of that was settlements from natural gas
7 controversies with some of the companies.
8 Forever Wild program required fifteen
9 thousand, almost sixteen thousand acres of
10 land in the last eighteen months. Excuse me.
11 The last tract that we acquired was the Walls
12 of Jericho, a little over twelve thousand
13 acres of land up in northeast Alabama. We
14 have our eye on another twenty thousand acres
15 of land up in that area. As you can see, we
16 conducted a number of conservation education
17 programs throughout the state in our nature
18 centers, and that sort of thing. We continue
19 to administer the thirteen point two million
20 dollar federal program, CIAP program, which
21 will -- most of those projects will be coming
22 to a close in November of this year, and I
23 think all that money was well spent. A

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1 considerable portion of that money is being
2 used for land acquisition, so it's not just
3 something that -- a program that we'll spend
4 the money on and it will be gone in a few
5 years. We'll have that land in perpetuity.
6 In addition to what's not shown in this report
7 is that since 1999 we have generated another
8 thirteen million dollars in federal grants
9 that's solely used to buy land in Alabama. So
10 our efforts have been focused on generating
11 money that we can buy all the land that we can
12 in short.

13 I'll be glad to answer any questions if
14 you have any, any specific ones. As I said, I
15 just hit the high points, but I know time is
16 running short. Yes, sir.

17 MR. WILLIS: North of the Natchez
18 Trace in Colbert County, the land that was
19 provided to the management areas and putting
20 them together in Colbert County, they talked
21 about some kind of land swap up there, and I
22 get a lot of phone calls wanting to know about
23 that. Is there anything become of that, or

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1 where do we stand on it?

2 MR. GRIGGS: Yes, sir, it has. I'm
3 glad you mentioned it. I intended to mention
4 it and was just negligent in not doing it. We
5 tried to do a land swap up there. As you
6 know, Forever Wild owns an awful lot of land,
7 and there's private landholdings in the middle
8 of Forever Wild land. We had tried to swap
9 with those landowners. We were unable to
10 exchange lands with them, so we took the more
11 direct route. We said, we'll buy your land,
12 and they have agreed to sell -- all except for
13 one landowner -- has agreed to sell to Forever
14 Wild and the Forever Wild board has approved
15 that purchase. So we're -- we will be closing
16 on those tracts in the next few months.

17 MR. WILLIS: Would you know whether
18 or not what they have refused to sell is north
19 of the Natchez Trace or...

20 MR. GRIGGS: I don't believe it is
21 north of the Natchez Trace. I think the one
22 tract that we could not buy was southeast of
23 the Natchez Trace. Is that right, Greg?

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1 MR. WILLIS: Well, the reason I
2 brought it up is because what Forever Wild
3 owns is right in the middle of the hunting
4 territory north of the Natchez Trace and then
5 in the neighborhood of a hundred, hundred and
6 twenty-five people. It will knock them out of
7 hunting the whole season to the standpoint of
8 sixteen days that you can hunt on the refuge.
9 What they were hoping they'd do in that county
10 is to get it all over on the south side of the
11 Natchez Trace and open that hunting area to
12 the public -- not to the public, but to the
13 landowners and whatever.

14 MR. GRIGGS: Sure. I think you're
15 going to find that the action that we're
16 taking is going to solve a lot of those
17 problems, and we're also looking at trying to
18 solve some -- maybe there's some remnants of
19 some areas there that we'll be able to take
20 some action on in the future that will solve
21 those problems as well. We realize as a
22 landowner that a private landowner doesn't
23 want any holdings in the middle of a Forever

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1 Wild tract. That's not good for anybody. And
2 I think this has been a good solution to doing
3 that. If we can exchange it, then just buy
4 the land. And we'll be glad to keep you
5 posted on the progress of it as we identify
6 other lands. Thank you for bringing that up.
7 That's all I have.

8 COMMISSIONER LAWLEY: Thank you,
9 Jim.

10 I call on Mark Easterwood with the
11 Parks Division.

12 MR. EASTERWOOD: Mr. Chairman,
13 Commissioner, members of the board, we're very
14 excited in the State Parks Division right now,
15 and all of you have a more detailed write-up
16 of what's going on in the State Parks
17 Division, as well as a full report on the
18 renovation that's going on in the state parks,
19 but I want to go over -- highlight some of the
20 areas that I feel like we've had very good
21 success in this past year, some of the new
22 programs that we've put into place and I feel
23 like are working very well. So we're excited

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1 about what's going on and the direction that
2 we're heading in the State Parks Division.
3 First of all, our natural resources
4 management, which is primarily our forest and
5 habitat management in the parks, we have
6 really -- this is the first time -- I've been
7 in the system for twenty-six years. This is
8 the first time that I know of that we've had
9 consistent and dedicated effort to manage our
10 natural resources in the state parks. And so
11 far this year, we've been able to selectively
12 thin timber on approximately five hundred and
13 six acres in three different parks. And that
14 is very scientifically done and a very select
15 thinning of certain trees that need to come
16 out that will improve habitat. We had several
17 last year as well as this year. We're doing
18 prescribed burns. We've already done some in
19 two or three parks this year as well as
20 permits. As we go through the spring, we'll
21 continue to do some more that we've
22 identified. And we also this year are
23 developing a comprehensive habitat and forest

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1 evaluation program. We're evaluating what we
2 have and where we need to go during this year
3 of 2004. So we'll have a systematic plan of
4 how we're going to approach this through this
5 upcoming year. Of course, most everybody, I
6 think, is familiar with the deer herd
7 situation at Oak Mountain State Park. We have
8 a lot of data for several years that told us
9 that the deer population there was in poor
10 condition and really headed for trouble, so
11 the commissioner stepped up and we decided to
12 have a two-day bow hunt there this year. It
13 was successful. We took out about
14 twenty-seven deer, which was in cooperation
15 with the Wildlife Freshwater Fisheries
16 Division. There were no problems. It was a
17 safe hunt, and so I feel like it was very
18 successful. And just recently we have had
19 some help from the Department of Agriculture
20 and their deer management people,
21 sharpshooters. So we have been able to take
22 out a total of eighty-one deer since January.
23 And I think that's a big impact. And if we

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1 can continue to do -- research our options and
2 do that, I think we'll see a much healthier
3 deer herd at Oak Mountain in conjunction with
4 the parks and habitat management there. Also,
5 we're in somewhat of a partnership with
6 wildlife and freshwater fisheries division in
7 trying to develop an educational and
8 interpretive program. And we'll be primarily
9 selecting parks throughout the state. And
10 I'll say it won't be in all of them, but
11 there's certain ones, especially the larger
12 ones, we feel like will be more conducive to
13 having these programs. And I'm excited about
14 working with them and seeing what we can come
15 up with as a partnership between the two
16 divisions. I think that will be a real good
17 program for the people on education,
18 environmental education and interpretive
19 programs. The advertising marketing section,
20 there are again, we feel like that we need to
21 do a very aggressive marketing and advertising
22 program throughout the state parks and let
23 people know what we have, what we're about.

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1 And really, that's going to be the key to our
2 success, especially through this renovation
3 program. So just to highlight some of them.
4 We kicked off a VIP program, which is
5 Volunteers in Parks. We will feel like
6 there's a wealth of knowledge out there.
7 People with various skills that could come
8 into the parks and help us. They may only
9 want to work a day, two days, three days,
10 whatever they may be willing to help. And I
11 would invite anyone here that's interested
12 that has a skill or interest if you have a
13 park near you to go talk to them about this
14 program. We'd be glad to have you. I'm sure
15 there's people in here that have interest in
16 the outdoors, what's going on in the parks.
17 So if any of you are interested, check out the
18 park nearest you and they can give you the
19 information on it. And we also would like to
20 develop maybe some partnerships, maybe some
21 corporations, friends, groups such as we have
22 at Oak Mountain. That's been very
23 successful. So we believe that program is

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1 going to contribute a lot to the State Parks
2 Division. We're working with the Lucky
3 Agency, which is a marketing and advertising
4 firm out of Birmingham. It's a
5 departmental-wide program where we're
6 promoting the whole department. But the state
7 parks has a part in it, and they're currently
8 -- we should be coming up with some TV or
9 radio advertisements. I believe they start
10 those in March, if I'm not mistaken. So we
11 feel good about some of the things that
12 they're going to be doing for us, as well as
13 improving our website. Mr. Liles mentioned
14 the department home page. We're working with
15 them to develop the state parks' home page,
16 and ultimately, we want to get to where you
17 can come from the department home page to the
18 State Parks Division home page and ultimately
19 link to the individual parks where they'll
20 have their individual home page that they can
21 maintain and keep updated with a lot more
22 detailed information. We were also very
23 fortunate to get the governor and the first

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1 lady to do some public service announcements
2 for us that we distributed out to a number of
3 radio stations. And just mostly recently, the
4 governor did one for us. So I can't thank
5 both of them enough for taking the time to do
6 that for us, but I feel like they're
7 interested in what's going on in the parks and
8 they are gracious to do that. So the
9 governor's spot should be coming out in the
10 very next few weeks.

11 In the renovations program, there is a
12 complete update on what's going on in
13 renovations, but I'll hit some of the
14 highlights of where we are on some projects
15 that we are about to get started and some
16 openings that we've had most recently. We've
17 had some grand openings on the (inaudible)
18 Cabins Welcome Center. The CCC cabins and
19 group lodge at Cheehaw, those turned out
20 magnificent. We had our manager's meeting up
21 there a couple of weeks ago and I think
22 everybody enjoyed it. It's really made a big
23 difference in those facilities. And by the

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1 way, the public has been very receptive
2 according to our rental reservations going up
3 on those. The CCC tavern which is essentially
4 rebuilt is a CCC structure that burned in the
5 1940s. It's been sitting there idle with just
6 a rock shell since the mid '40s. We've
7 rebuilt it into a -- somewhat of a conference
8 center or a family reunion, wedding
9 receptions, weddings. And it's very near
10 completion. As a matter of fact, we had a
11 wedding reception up there last week which
12 went over very well. So they're basically
13 ninety-nine percent complete with it. We
14 expect to do a grand opening on it. The CCC
15 cabins at Chewacla are -- we had a final on
16 them last week, so they're very near
17 completion. The golf course at Oak Mountain
18 is under construction now. I was by there
19 yesterday, and they're making significant
20 progress on it. I think it's going to make a
21 big difference in the year-round play on that
22 course, and I was very pleased with the
23 progress they've made. They've been there

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1 about two weeks now, and they've already got
2 most of the front nine greens already poured
3 out and ready to build those back. We've
4 opened the bids on Lake Point phase 1, which
5 is to build eight new cabins on the lake,
6 lake-front cabins, and renovate the marina.
7 We've haven't let the contract yet, but I
8 believe we're very close to working out the
9 details on getting that done. We expect bids
10 to open on the renovation of the Guntersville
11 Hotel on March the 11th. And we have some
12 public access improvements at Gulf State
13 Park. The bids on those also are expected to
14 open on March 11th, and they would include
15 Alabama Point, the Cotton Bayou public access,
16 Romar Beach public access, and County Road 2.
17 We'll essentially -- we'll be building some
18 dune walkovers, improving the dune habitat,
19 which, in turn, improves the beach miles
20 habitat, building rest rooms to make those
21 very more accessible to the public. And
22 they're used tremendously by people that don't
23 have beach-front property, so we're excited

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1 about that. And the Gulf Campground
2 renovation, we're expecting opening bids on
3 those on March 17th, which would include
4 renovation of the four hundred and sixty-eight
5 sites they currently have, as well as build
6 new ones. We're hoping to get somewhere
7 around about thirty, maybe thirty-four new
8 sites on the canal there.

9 So that's all I have. I'll be glad to
10 answer any questions. And I appreciate y'all
11 having me. Thank you.

12 CHAIRMAN MOULTRIE: Thank you,
13 Mark. The time right now is ten -- or five
14 till ten. We'll recess for fifteen minutes
15 before the public portion so that we can get
16 the records of everyone that signed up to
17 talk. Please be back at ten-fifteen
18 promptly. We will start at ten-fifteen
19 sharp.

20 (A short recess was had in the
21 proceeding.)

22 CHAIRMAN MOULTRIE: The meeting will
23 come to order, please. The next order of
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1 business will be the district and special
2 committee reports, and -- let me find my list
3 from district one, Mr. Self, if you'd report,
4 please, sir.

5 MR. SELF: Okay. Thank you,
6 Mr. Chairman, members of the board, ladies and
7 gentlemen. My report deals primarily with
8 marine resources and has been developed in
9 conjunction with Vern Minton, our director.
10 And I have six items of interest that I think
11 may interest the board and the members
12 themselves. The first item deals with
13 shrimping in Weeks Bay. Weeks Bay is part of
14 an estuary located on the Baldwin County side
15 of Mobile Bay. It's historically been
16 closed. And a small group of I'll call them
17 brim fishermen that would like to be able to
18 use a small net and get the sea shrimp so they
19 can brim fish. And I thought this was a good
20 idea. It would have no impact on the fishery
21 itself. If they're restricted to a
22 twelve-inch net, they should be able to catch
23 all the shrimp they need to shrimp fish with.

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1 So I'm reporting favorably on that one
2 proposal.

3 And the second item deals with the
4 upper bay closure that our former commissioner
5 Riley Smith and David Yeager spoke with. This
6 has been an item that's been discussed several
7 times over the past few years. It does have a
8 user impact being that the shrimpers -- some
9 of the shrimpers go along with it; some
10 won't. I think we need to continue to study
11 this item and maybe by the May/June meeting or
12 whatever we can -- date we can establish --
13 we'll better be able to deal with it at that
14 time.

15 The third item deals with some closures
16 of areas for live bait shrimp dealers, and
17 these deal primarily with the areas in Perdido
18 Pass, Lagoon Pass. And these waters are
19 closed most of the time for shrimping anyway,
20 but when they have been open, it's been a --
21 the water becomes very treacherous. The high
22 current causes tidal action, and so we felt
23 like it would just be better to perhaps close

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1 those for those small areas permanently. And
2 we are going to look at that too and take
3 input from the public about it before acting
4 on it.

5 The fourth item deals with use of
6 mullet nets and their identification. This
7 has come about because of some illegal
8 activity and being unable to identify mullet
9 nets. So this change, I think we should go
10 and study it.

11 The fifth item deals with oyster
12 dredging. I know the majority of you are
13 probably not familiar with the oyster
14 industry, but of course some of you here are.
15 It's pretty new to me. I'm never done any
16 oyster tonging or dredging, either one, but
17 I've been studying the situation and have come
18 to the conclusion that this could be
19 accomplished without real problems to the
20 oyster bed. In fact, I believe from what data
21 I've seen that it will actually enhance the
22 oyster beds. This is being done in other
23 states. The one oyster bed that we're

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1 proposing this to be done on was built in
2 public water with private money. It was
3 seeded with private money, the shell that went
4 on the bottom of the floor of the ocean. And
5 I've talked to some of the current dealers
6 that are now using the dredge on private
7 oyster beds and have determined that they're
8 having a lot better results with their beds
9 than just tonging alone.

10 The final item deals with bass
11 fishermen and gill netters. In the area above
12 the causeway in upper Mobile Bay, there is a
13 -- there's a group of people that gill net
14 for mullet. And there's also quite a large
15 amount of persons that bass fish in that
16 area. And the bass -- I've met with the bass
17 fishermen and listened to their complaints and
18 they're concerned about the fact that the gill
19 netters may be catching a lot of bass. We
20 don't have any data to support that. We don't
21 know that they're catching any of these bass.
22 And the bass fishermen want to close the gill
23 netting season up there and not allow the gill

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1 netting. Working with the bass fishermen and
2 the netters and Mr. Minton, we came up with a
3 compromise, presented it to the bass
4 fishermen. And that compromise was that they
5 would -- no gill netting on the weekends and
6 then let the gill netters fish there during
7 the week. And we would gather some data over
8 the next two years and then revisit the issue
9 again and make a determination whether to make
10 a private closure or not -- a permanent
11 closure rather.

12 Is there any questions? Okay. That
13 concludes it.

14 CHAIRMAN MOULTRIE: Thank you,
15 Mr. Self. Also from district, Mr. Bill
16 Hatley.

17 MR. HATLEY: Thank you,
18 Mr. Chairman. Most of the issues that Ross
19 has covered I've been dealing with in
20 different areas. Primarily the concerns that
21 I've been working on have been in -- with the
22 duck hunters and with the dove hunters in not
23 only our area of south Alabama but all over

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1 the state. I've already addressed these
2 concerns with Gary Moody about trying to push
3 dates back, primarily back to a two- or
4 three-year ago system that we were using on
5 duck hunting. Those two areas seem to be of
6 vital concern to, not only, like I say, the
7 people of Mobile and south Alabama area, but
8 all over the state.

9 The third item that is concerned is the
10 baiting issue that we've all heard that's been
11 knocked around about. I won't go into great
12 detail on that because I understand we will be
13 discussing that later in our report.

14 You don't want us to go into committee
15 reports or anything, do you?

16 CHAIRMAN MOULTRIE: Not yet,
17 Mr. Hatley. District two, Mr. Coles.

18 MR. COLES: Mr. Chairman,
19 Commissioner, other members of the
20 conservation advisory board, ladies and
21 gentlemen. Since our last meeting May of last
22 year, I've been a busy little boy in my
23 district. In June, I attended a meeting with

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1 forty-one individuals representing eleven dog
2 hunting clubs of Covington County. I met with
3 landowner groups in Covington, Dale, Henry,
4 Barbour, and Pike County, visited two hunting
5 clubs in Coffee County, one hunting club in
6 Butler County, two hunting clubs in Barbour
7 County. I also interviewed fourteen
8 landowners in Butler County. I've
9 participated in a panel discussion in
10 Montgomery with some eighty-five attendees to
11 discuss various conservation department
12 issues. All letters that I received were kept
13 and filed by county, by date, and subject. I
14 received seventy-four letters about
15 conservation department issues and have logged
16 in ninety-one phone calls to my home phone. I
17 also attended three subcommittee meetings that
18 I was appointed to the subcommittee and chair
19 by the chairman. These meetings dealt with
20 deer hunting issues and supplemental feeding
21 of deer, feeding over bait, and those
22 particular issues that we will discuss at a
23 later date.

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1 That concludes my report unless there
2 are questions.

3 CHAIRMAN MOULTRIE: Thank you,
4 Mr. Coles. District 3, Mr. Grant Lynch.

5 MR. LYNCH: Thank you,
6 Mr. Chairman. Basically, I am the last --
7 since our last meeting I have sat in on
8 several different subcommittee meetings. With
9 my relationship with Alabama Wildlife
10 Federation, I've also sat in on a bunch of
11 meetings with them concerning the deer
12 management committee of that group. I met
13 with the local officers in Talladega County
14 this week just to go over any issues they
15 might have. They said everything is going
16 pretty good in Talladega County. And that's
17 my report.

18 CHAIRMAN MOULTRIE: Thank you,
19 Mr. Lynch. District 4, Mr. Harbin.

20 MR. HARBIN: We're still having
21 vandalism problems and dog problems,
22 complaints in three counties but the wardens
23 have been working on it pretty good. And

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1 right now we're in a holding pattern on it.

2 CHAIRMAN MOULTRIE: Thank you,
3 Mr. Harbin. District 5, Mr. Willis.

4 MR. WILLIS: Yeah. Mr. Chairman,
5 thank you. I have a yellow folder here that
6 contains Colbert County landowners' and dog
7 hunters' requests. Basically, the Colbert
8 County commission -- we, the commissioners of
9 Colbert County, do hereby request that the dog
10 deer season and bag limit in Colbert County be
11 left as is. We also request that the hunting
12 on private lands or other such as dog, such as
13 coon, fox, coyote, rabbit, squirrel, duck, use
14 of dogs as a method of hunting be left as is.
15 We feel that the revenue collected from the
16 hunting with dogs is a great asset to Colbert
17 County. And I took it on myself to go by the
18 courthouse and talk with the district attorney
19 and the circuit clerk, game warden, the
20 sheriff, and et cetera. There was no fines
21 made for some kind of argument between the
22 landowner and the dog bothering anybody or
23 what have you. Although, I found out on the

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1 way down here that there was two or three
2 tickets given out for -- maybe one of them was
3 for hunting dogs out of season. But that
4 still puts a mark against the landowners in
5 Colbert County. But basically what I'm saying
6 is the people in Colbert County would like
7 everything to be left as is; bag limit, dog
8 season, and whatever. And that's with any
9 kind of hunting. And another item here. This
10 lady called me, and she is Mrs. Doris Louie.
11 And it seems that Mr. Louie, he's from
12 Franklin County, Red Bay area. And right now
13 he's in the Iraq. And this past season dogs
14 were outlawed in Franklin County, and he
15 didn't get to hunt his dogs before he left
16 with his kids and his family. But she asked
17 me to ask the board if she's filling out his
18 commission to take his position while he's
19 over in Iraq -- she asked me to ask the board,
20 the commissioner and everyone here, if there's
21 any way possible that we could work out some
22 kind of solution to Mr. Louie could hunt his
23 dogs when he comes back from Iraq, run deer on

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1 his own property, that they sure would
2 appreciate it. And I would like the board to
3 take that into consideration. There's several
4 of us that have people in Iraq. They're
5 fighting for our freedom. Maybe we might have
6 acted a little hasty in what we did last
7 year. And we might be able to work out some
8 kind of a solution if we could sit down and
9 talk. And with that, Mr. Chairman, I'll end
10 it.

11 CHAIRMAN MOULTRIE: Thank you,
12 Mr. Willis.

13 MR. HARBIN: Could I make a comment
14 on that real quick like?

15 CHAIRMAN MOULTRIE: Yes, sir.

16 MR. HARBIN: I'd like to put this
17 report from the -- Captain Johnny Johnson on
18 these dog-related complaints only. Franklin
19 County had a hundred and twenty-nine
20 complaints. That's up from seventy-seven last
21 year.

22 CHAIRMAN MOULTRIE: This was during
23 the past season?

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1 MR. HARBIN: Yes, sir. And I have
2 pictures of stuff here of the vandalism. And
3 if anybody wants to look at them, I'll be glad
4 it let them see it.

5 CHAIRMAN MOULTRIE: Thank you,
6 Mr. Harbin. District 6, which is my district
7 also, but, Mr. Porter, if you'll report for
8 us, please, sir.

9 MR. PORTER: I can. But usually
10 once you report that takes care of my report.

11 CHAIRMAN MOULTRIE: I'm going to let
12 you start this time. How about that?

13 MR. PORTER: I do have a report,
14 Mr. Chairman, and part of that report, I've
15 got a short motion that I'd like to make, if
16 you'd entertain it.

17 CHAIRMAN MOULTRIE: Yes, sir.

18 MR. PORTER: Again, I've lived in
19 Birmingham, Alabama. But among other things I
20 sit on the board of the National Rifle
21 Association, and we have over twelve thousand
22 members just in Jefferson County. Most of the
23 outdoor things that we've dealt with and seen

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1 in my district has to do with the state parks
2 and y'all are all familiar with that. But my
3 phone's been ringing off the hook on the
4 supplemental feedings bills that are pending
5 in the state legislature. And everyone that I
6 talk to are dead set against it. On a
7 national level, the baiting issue is very
8 troubling to me because the animal rights
9 people wrap it around your neck everywhere you
10 go. I'm dead set against it. I'm dead set
11 against the legislation. And based on that, I
12 want to make a motion. As you know, we've got
13 House Bill 518 and Senate Bill 49 that's
14 pending in the legislature, which basically
15 it's legalized baiting. And I'm against it,
16 and I've got this motion. And it reads like
17 this: That this board go on record that its
18 position is as follows: We oppose Senate Bill
19 49 and House Bill 518 or any substituted or
20 amended versions thereof, and we support the
21 provisions of Section 911-244 and 911-245,
22 which is a law on the books that says it's
23 illegal to bait, of the Code of Alabama, which

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1 prohibits hunting over bait. And that's my
2 motion.

3 CHAIRMAN MOULTRIE: Mr. Porter,
4 could I ask you to hold that motion until the
5 subcommittee reports and have it then,
6 please?

7 MR. PORTER: I'll be glad to hold it
8 if you'll rule that my motion will be the
9 first one heard.

10 CHAIRMAN MOULTRIE: And I need a
11 copy of that also.

12 MR. PORTER: If my motion will be
13 the first one taken up, I'll be glad to hold
14 it. If not, I'd like a vote.

15 CHAIRMAN MOULTRIE: Hold on just a
16 second.

17 Mr. Porter, that will be fine, and
18 we'll make that the first motion.

19 MR. PORTER: It will be the first
20 one voted on?

21 MR. CHAIRMAN: Yes, sir.

22 UNIDENTIFIED SPEAKER: I'll make the
23 motion.

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1 MR. HATLEY: I second the motion.
2 MR. PORTER: And that is my report.

3 CHAIRMAN MOULTRIE: Mr. Porter, is
4 there anything else from District 6?

5 MR. PORTER: No.

6 CHAIRMAN MOULTRIE: The only other
7 item from District 6 that I'd like to comment
8 on during this time was the hunt at Oak
9 Mountain. I attended that personally. Most
10 parts of it, I think it came off in a great
11 fashion. I think it set precedent that these
12 hunts can take place in the state park and the
13 hunters can do the job for us. And my
14 compliments to Mr. Lawley for helping carry
15 that through and I look forward to a future of
16 state parks being hunted the same when the
17 control of the deer populations rise.
18 District 7, Mr. Johnson.

19 MR. JOHNSON: Thank you,
20 Mr. Chairman. I think my area has probably
21 been one of the quieter areas, but there have
22 been a few things going on that I'd like to
23 mention. Number one is attending deer

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1 meetings. It gave the people an opportunity
2 to talk and to hear what they were saying. I
3 attended a meeting in Tuscaloosa sponsored by
4 Judge Lake. The Commissioner, Dr. May, and
5 myself attended that meeting and which a
6 number of issues were brought out. And I
7 attended the state meeting with the Alabama
8 Farmers Federation in connection with our
9 commissioner, Louis Coles, myself, and Jerry
10 (inaudible). I attended other meetings
11 related to turkey hunting and -- with the
12 turkey season coming up. And I visited with a
13 number of individuals out there and talked to
14 them in terms of such items as the deer
15 population, especially down in Greene County,
16 Hale County. I also visited with a number of
17 individuals concerning the supplemental
18 feeding and these bills that are pending in
19 the legislature. It's been an interesting
20 year, and I've enjoyed it very much. Thank
21 you.

22 CHAIRMAN MOULTRIE: Thank you,
23 Mr. Johnson. Dr. May.

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1 DR. MAY: There's not much I can add
2 to what Johnny has said since both of us are
3 in the same district. I would like to comment
4 on the meeting that he mentioned Judge Lake
5 held. That's the first one I had been to, and
6 I was impressed at the number of hunters there
7 and the number of young people. There was a
8 meeting every year on the new laws for the
9 changes in hunting laws. And I was real
10 impressed with the turnout. I thought it was
11 a real good thing. I've attended Alabama
12 Wildlife seminars. Dr. Lee Youngblood always
13 gives us a good report on future plans. But
14 there was information there from NRCS, the CRP
15 program, Alabama Wildlife Habitat Incentive
16 Program. Some of those are available and for
17 any of you that's interested in that, it may
18 be worth while checking into. I visit with
19 Dr. Chris Bishop by phone. He is the director
20 of emergency operations out at the state
21 veterinarian's office. And Dr. Bishop is the
22 state's veterinarian. Commissioner Sparks has
23 already commented on what's going on over

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1 there on the chronic wasting disease but it's
2 always good. And I enjoy talking with
3 Dr. Bishop. He's always been very courteous
4 and informs me on anything that he sees some
5 other states that's going on and hears, even
6 on the EHD that we see more of down here, and
7 I certainly hope we don't see that CWD. But
8 it's a really good program going on.

9 I recently visited with West Alabama
10 Hunting Association that Corky mentioned.
11 David Nelson, district supervisor District 3,
12 and Gary Moody, our chief biologist. And that
13 area seems to have a problem with the loss of
14 numbers of deer. You don't get to see deer.
15 You don't even see tracks. And you do start
16 scratching your head thinking you do have a
17 problem. Something's wrong somewhere. But
18 I'm not going to elaborate on what they
19 discussed at the meeting because we all asked
20 them to attend this meeting. I think some of
21 them are already signed up, so we can get into
22 that later on.

23 The 15th of March, of course, starts
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1 the big day, turkey season. Of course, the
2 governor starts his one shot turkey hunt up
3 there in Tuscaloosa, and I'm going to be
4 involved in that as a landowner and a host.
5 And I hope the weather holds out and the
6 turkeys show up. And after that, I'm going to
7 turkey hunt for a while. And I thank
8 everybody for being here.

9 CHAIRMAN MOULTRIE: Thank you,
10 Dr. May. I hope everyone appreciates the work
11 that the board does and especially these new
12 reports that were -- each person has to report
13 from their district on what happens within
14 their district, and I would like that if
15 someone has a problem getting to their
16 particular district representative, I wish
17 you'd contact me and let me know. I have not
18 heard of any report of inaccessibility of the
19 board members and I compliment them on that.

20 Special committees were created the
21 last time, and I think this will turn out to
22 be a very good way to hash through a lot of
23 these issues. And at this time, I'm going to

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1 call on the chairman of those special
2 committees to report on their findings. There
3 is one new special committee that has been
4 created also to study fishing and fish in the
5 state, and it's staffed by as good a staff as
6 I've seen on the subject. And I want to read
7 -- they met one time this past week. I just
8 want to read their mission statement. It's --
9 there mission statement will be as follows:
10 At the direction of the conservation advisory
11 board, identify, research, and discuss key
12 subject matter concerning aquatic resources in
13 Alabama to determine the relevance and
14 feasibility of actions, as well as make
15 recommendations on said matters to represent a
16 sounding board and source of reliable and
17 credible information to the conservation
18 advisory board on matters concerning aquatic
19 resources in Alabama. And I think they will
20 provide us some good input. Of course, they
21 have just been formed and just had their first
22 meeting, so there's no report at this time.
23 That committee will be chaired by Mr. Norman
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1 Latona out of Birmingham, Alabama. The second
2 committee that we created last time was on the
3 golf courses. Mr. Bill Hatley, do you have a
4 report?

5 MR. HATLEY: Mr. Chairman, over the
6 past several months, I've had the opportunity
7 to visit all six golf courses throughout the
8 state that are owned by the state parks.
9 We've had an opportunity to work with the
10 consultants and review their reports at this
11 point. We have worked with staff, with Mark
12 Easterwood and his people, and when we first
13 started this out, Mr. Chairman, I did not
14 realize the enormity of this project and the
15 problems that are being presented to this
16 committee. One, from a financial standpoint,
17 the restraints that are placed, also with the
18 state biddings, state employment system. At
19 this time, our committee -- or my committee
20 would like to ask that -- or tell you that
21 it's a little premature for us to make any
22 concrete suggestions or comments at this
23 time. Mark and I are working and maybe by the

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1 May meeting we can come up with some of the
2 things that he and his staff and I have been
3 working on that maybe we can shoot for in the
4 future. But right now, it's deeper than what
5 we thought. Although, I have enjoyed visiting
6 the courses and playing golf.

7 CHAIRMAN MOULTRIE: I had no doubt
8 that you would be playing golf, Mr. Hatley.
9 Have you visited the construction at Oak
10 Mountain State Park and their golf course?

11 MR. HATLEY: Yes.

12 CHAIRMAN MOULTRIE: Do you concur
13 with what's going on there?

14 MR. HATLEY: Most assuredly I do.

15 COMMISSIONER MOULTRIE: Thank you,
16 Mr. Hatley.

17 The next committee is commercial
18 fishing practices, and that was Mr. Ross
19 Self.

20 MR. SELF: I've got nothing to
21 report.

22 CHAIRMAN MOULTRIE: Thank you,
23 Ross. The next one is the deer subcommittee
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1 that has been extremely busy. Mr. Louis Coles
2 chairs that.

3 MR. COLES: Thank you,
4 Mr. Chairman.

5 We have had a total of four meetings
6 that have been -- deer subcommittee was broken
7 up into two sub subcommittees, I guess you'd
8 call it. One dealt with supplement feeding
9 issues, hunting over bait issues. The other
10 dealt with more buck harvest limits, muzzle
11 load season, crossbow season. First of all,
12 I'd like to call on Ted DeVos and Tim Gothard
13 with the AWF.

14 MR. DeVOS: The deer management
15 subcommittee met, like you said, several
16 times. And one of the things we're looking at
17 -- I want to commend this board as well for
18 putting together these subcommittees. I think
19 it's a real responsible way to look at the
20 issues. There's a -- biologists are well
21 represented on these groups, both the full
22 subcommittee, as well as this deer management
23 subcommittee to provide input from a

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1 biological standpoint. Our group met, looking
2 at buck regulations, whether or not we needed
3 to try and address buck limits or antler-based
4 restrictions in the state as a whole and the
5 targeting goal to reduce buck harvest numbers
6 across the state, which would lead towards a
7 more balanced buck-doe ratios, better age
8 structure in our buck cohort of the population
9 and just essentially it ends up leading to
10 earlier fawning dates, a healthier deer herd.
11 That's kind of the target. Most states around
12 us have gone to doing this. And ultimately if
13 we can maintain doe harvest, we can lower deer
14 herd numbers as a whole by doing this. It was
15 agreed in this group -- there were six of us
16 on the group, five biologists, and we agreed
17 unanimously that we needed to at least propose
18 some form of buck restrictions in the state.
19 So we looked at a lot of different issues.
20 And two primary ones that were looked at were
21 antler-based restrictions, three points on a
22 side, eight points or better, various things
23 that looked specifically at antler

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1 characteristics and how to harvest those
2 portions of the buck population. We looked at
3 a number of restrictions, some form of buck
4 limit that might be promoted. We looked at
5 pros and cons of those. The antler-based
6 restrictions, the pros on that were generally
7 there's a better protection of yearling bucks
8 from harvest and allows those animals to enter
9 into different classes. Enforcement of
10 something like three points on the side fairly
11 quick and quantifiable results and a faster
12 change in male age structure within the herd.
13 The cons on these three point on the side or
14 something along those lines are that mistake
15 bucks become violations. There's a concern of
16 a remote possibility of declining doe
17 harvest. Although, none of the surrounding
18 states have seen anything that even indicates
19 that the there's a declining doe harvest with
20 the antler restriction. But a lot of times
21 hunters become weary and make a mistake, and
22 so they may lay back on the does. Less
23 harvest flexibility within individual hunters

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1 to have youngsters, you know, shooting a spike
2 or any first buck they see or older folks, you
3 know, whatever, inexperienced hunters.
4 There's very little flexibility from that
5 standpoint and does not allow calling of
6 animals for those who feel like calling a --
7 bucks of sub-quality as part of the program.
8 It also only does a marginally good at trying
9 to arrest the buck-doe ratios. Generally what
10 you see going on is that when you go to an
11 antler-based restriction you increase the age
12 structure in the buck part of the population,
13 but the buck-doe ratios don't change much
14 because the harvest remains fairly similar.
15 Although the buck harvest is generally
16 composed of an older age class. And then
17 there's all public perception of trophy
18 management. I don't know how much of an issue
19 that is. Many of the other states that have
20 gone to this don't worry about it too much.
21 The propose of a numbers restriction or limits
22 basically were fairly simple and
23 straightforward. The numbers restrictions are

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1 a limit within the state allowance,
2 flexibility within harvest, and baited harvest
3 whenever they want as long as they stay
4 underneath that limit. Inexperienced and
5 older hunters can take smaller deer. It
6 allows for a calling idea. And
7 hypothetically, it addresses the buck-doe. By
8 reducing the harvest of male deer, the
9 buck-doe ratio would balance out a little bit
10 faster. And it essentially leads to an actual
11 reduction in the number of bucks harvested,
12 not a shift from age class to age class.
13 Therefore, you get more bucks per does. The
14 cons of this numbers restriction, there's a
15 slower change in the male age structure.
16 Theoretically, if people do lean more on the
17 younger bucks, there is a fairly fast change,
18 but if they don't, it's a slower change in the
19 age structure of the male population. A
20 little bit hard to enforce. Some kind of
21 punch out tag or something would be required
22 to enforce it if it's anything beyond
23 (inaudible) or turkey limits. The

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1 quantifiable results are probably a little bit
2 slower, more elusive to get to and poorer
3 protection of yearling bucks, as I said
4 before. So we looked at some of the
5 harvesting data in the state and other states
6 modeling and kind of got an idea that looking
7 at the antler-based restriction some seventy
8 thousand yearling bucks in the state every
9 year would be advancing into the
10 two-and-a-half-year-old age class. It's a
11 good thing biologically for the deer herd to
12 be composed of a larger portion of adult
13 bucks. And again, pure buck harvest numbers
14 probably remain pretty similar, and that's
15 borne out in a lot of different projects that
16 they've looked at in antler restrictions.
17 Looking at AWF's information, Wildlife
18 Federation, Tim awhile ago went into this a
19 little bit more, the Wildlife Federation's
20 position on these things. But that three buck
21 limit has the potential to save -- and this is
22 purely from a limits standpoint of something
23 like a three buck limit -- has the potential

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1 to save twenty-five to thirty thousand male
2 deer in the population. It may not be all
3 entirely composed of the younger classes, but
4 it actually saves those bucks and allows that
5 buck-doe ratio to balance out a little bit
6 faster. So we looked at several different
7 options. We sat around and discussed two buck
8 limits, three buck limits. We looked at two
9 buck limits with one buck restricted to three
10 points on the side, three bucks limited to two
11 bucks restricted three points on the side,
12 various different things we looked at. And
13 essentially, the unanimous vote among the
14 group was that a compromise was pre-proposed
15 and this is what I proposed on here is a three
16 buck limit with two bucks restricted to three
17 points on one side. That allows one open buck
18 that anybody can shoot any size. The maximum
19 number any individual can kill in one year is
20 three bucks and two of those bucks are
21 restricted to three points on the side. It's
22 a good combo from some of the various
23 surrounding states on what they've done. It's

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1 similar to some, different than others, and
2 some of the caveats that spikes -- because you
3 want to make sure that people aren't worried
4 too much about shooting does and spikes two
5 inches or less are classified in the
6 antlerless deer category. That kind of opens
7 up that opportunity for dog hunters seeing a
8 deer real fast come by and shooting a smaller
9 spike or somebody looking at a green field
10 thinking it's a doe, that type of thing, that
11 they don't eat up their buck limit. And, you
12 know, some form of enforcement at some point
13 in time to try and figure out, you know, one,
14 collecting some of the data on harvest numbers
15 and, two, making sure that it's somewhat more
16 enforceable than potentially a strict turkey
17 limit.

18 And outside of any questions, that's my
19 presentation.

20 MR. SELF: Earlier in your report, I
21 heard you say that there was a vote taken on
22 either antler point restrictions or buck
23 limit, or both, and that there was --

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1 unanimously in favor.

2 MR. DeVOS: Among our little group.

3 And our group --

4 MR. SELF: What is our little
5 group?

6 MR. DeVOS: Our group is six
7 people. And we were then presented to the
8 full committee of thirteen people, including
9 yourself. And that was a different vote. And
10 that was -- you'd probably be able to tell us
11 exactly what that vote was, but it was not
12 unanimous. But among our small deer
13 subcommittee of a half dozen people, this is
14 what I'm presenting among that group that was
15 involved.

16 CHAIRMAN MOULTRIE: Mr. Hatley, did
17 you have a question?

18 MR. HATLEY: Yeah, I did. Explain
19 to me again who you are speaking for. Are you
20 speaking for the subcommittee that Mr. Coles
21 is chairman of or are you -- who are you
22 speaking for? I'm not clear on that.

23 MR. DeVOS: The group of thirteen
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1 people that are the deer management
2 subcommittee, and this is a smaller
3 subcommittee that's looking specifically at
4 antler-based restrictions on buck limits, some
5 type of buck management system. And it's a
6 smaller group composed of six people, which
7 was appointed by the chair of the deer
8 management subcommittee.

9 MR. HATLEY: So you're not reporting
10 for this subcommittee? You're reporting on
11 your own? Is that what you're --

12 MR. DeVOS: I'm reporting for --
13 it's the sub subcommittee of Mr. Coles' deer
14 management subcommittee. They appointed six
15 people out of the thirteen deer management
16 committee members -- they appointed six people
17 to look into buck restrictions.

18 CHAIRMAN MOULTRIE: Does that answer
19 your question, Mr. Hatley?

20 MR. HATLEY: Yes. My question is of
21 Mr. Porter and of this gentleman and of the
22 parliamentarian. Why didn't the subcommittee
23 of the subcommittee report to the committee to

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1 report to us? I don't understand why all this
2 reporting and all speaking for different
3 groups when everybody is saying the same
4 thing.

5 CHAIRMAN MOULTRIE: I believe what's
6 going on, Mr. Hatley, is they're addressing
7 the board now of their findings from these
8 committee meetings and that -- I don't -- I
9 have not heard any information of a vote or a
10 motion to be taken. It's just a pure
11 reporting process now of what was discovered
12 during those meetings.

13 MR. HATLEY: Okay.

14 CHAIRMAN MOULTRIE: Mr. Porter.

15 MR. PORTER: Yeah. Who is on this
16 sub sub sub subcommittee and who do they
17 represent?

18 MR. DeVOS: Well, it's a group
19 composed of private and public people, and it
20 was compiled, I believe, by the chairman; is
21 that correct?

22 CHAIRMAN MOULTRIE: That's correct.
23 And not to interrupt you, Mr. DeVos, but I

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1 composed that of many, many lists from people
2 of their recommendation and did not take any
3 one group's total recommendations but a light
4 sprinkling from each group.

5 MR. DeVOS: I know some of the folks
6 on the committees requested to remain
7 anonymous.

8 MR. PORTER: They don't even want us
9 to know who they are?

10 MR. DeVOS: Well, there was a couple
11 of folks, not particularly on this committee
12 -- and I'll ask you if it's all right to
13 throw these names out.

14 MR. PORTER: I can't even know who's
15 on the committee?

16 MR. HATLEY: And this is reporting?

17 MR. DeVOS: There were some folks --
18 I mean, yeah, I'm fine with folks standing up
19 here reporting.

20 CHAIRMAN MOULTRIE: Mr. DeVos, why
21 don't you go ahead and report the names of the
22 six on that subcommittee if there were --

23 MR. DeVOS: There was nobody on that
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1 that requested they remain anonymous.

2 MR. PORTER: And who do they
3 represent?

4 MR. DeVOS: Myself, and I'm a
5 private wildlife biologist consultant here in
6 Montgomery; Dr. Barry Graham of Auburn
7 University; and Kevin McKinstry, he's out of
8 -- a private wildlife biologist as well; Bill
9 Gray and Chris Cook who work with the
10 department; and Mr. Grant Lynch. That was the
11 group.

12 MR. PORTER: Just to finish out,
13 I'll be honest with you, I'm absolutely
14 shocked about your report, and I'll tell you
15 what shocks me about it. You talk about up
16 sides and down sides, and not once have you
17 mentioned the effect that it's going to have
18 on the hunter, not one time. I can assure you
19 from a national standpoint, all you're doing
20 is making it harder for hunters to hunt, and
21 you're going to lose hunters. It's going to
22 affect you ethically, and it's going to affect
23 you socially -- sociology-wise. And I'm

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1 absolutely shocked they don't have somebody
2 who hasn't been involved in the process to
3 represent the rank-and-file hunter or the guy
4 on the ground that's hunting that's going to
5 have to pay for all this and it's going to
6 adversely affect.

7 MR. DeVOS: While there was -- and,
8 again, this committee was put together to look
9 at this from a biological standpoint, what's
10 good for the deer herd as a whole, there is a
11 lot of data out there from surrounding states
12 and the public support that has been generated
13 for pre- and post-implementation of buck
14 restrictions.

15 MR. PORTER: Well, I can give you
16 all the data you want to show that's against
17 it. So if anybody wants to ask me about it, I
18 can load you up with a truckload of stuff.

19 MR. DeVOS: Sure.

20 MR. PORTER: If y'all want to look
21 at it.

22 MR. DeVOS: Right. I'm saying a lot
23 of surrounding states have looked at what

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1 their public support was pre- and
2 post-implementation.

3 CHAIRMAN MOULTRIE: Y'all will
4 remain orderly in the auditorium so the
5 speaker can be heard.

6 MR. DeVOS: And to each one of
7 those, their public perception in support of
8 the antler restrictions have actually
9 increased after these things were
10 implemented.

11 MR. PORTER: Well, I'd like to see
12 that, and I'll show you mine and you show me
13 yours.

14 MR. DeVOS: Sure.

15 MR. HATLEY: And I don't mean any
16 disrespect. But what gets me -- I get sick
17 and tired of repeating. Everybody I talk to
18 -- and I quote, well, other states are doing
19 this, and we need to do it in Alabama. We've
20 got the best program in the United States.
21 We've got the most deer in the United States.
22 We've got more people who are eager to hunt
23 and want to hunt and do what's right, but

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1 we've got to change everything based on what
2 every other state is doing. Horse manure.

3 MR. DeVOS: May I answer that?

4 CHAIRMAN MOULTRIE: Go ahead.

5 MR. DeVOS: While that is one of the
6 things that we looked at, you know, what other
7 states were doing, it certainly doesn't weigh
8 any more on to what our recommendations were
9 than any other one of these issues I talk
10 about. And purely from a biological
11 standpoint, you know, I don't think it's
12 relevant what other states are necessarily
13 doing. We need to do what's right for the
14 deer herd in the state of Alabama. And as a
15 biologist, that's where I want to look at
16 primarily. There are always other things we
17 need to be concerned about. Hunter
18 participation, how successful these other
19 programs in surrounding states are certainly
20 weigh into that. But from my standpoint, you
21 know, and the other biologists who are on this
22 group, we're looking at what's best for the
23 deer herd in the state of Alabama and how we

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1 can go about trying to address that problem.
2 And that's kind of where most of these ideas
3 are coming from.

4 CHAIRMAN MOULTRIE: I know there's
5 some other questions from the board. I'd like
6 to hear Mr. Gothard's comments, please, at
7 this time.

8 MR. GOTHARD: Thank you,
9 Mr. Chairman. Tim Gothard, executive director
10 with the Alabama Wildlife Federation. And,
11 Dan, let me first start if I may by thanking
12 you for taking the opportunity to put some
13 groups together to take a look at these
14 different issues. The Wildlife Federation
15 began looking at this issue in 2001. And that
16 was because a lot of our members and other
17 hunters were suggesting that we look at doing
18 something on the buck side of the equation.
19 So our board put together a committee of AWF
20 folks, including three biologists, and said,
21 well, let's take a look at this particular
22 issue. The first thing that that group did
23 was sit down and define that their mission

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1 would be to look to first and foremost from a
2 biological standpoint as to whether or not
3 there were any positive biological gains that
4 could be gained through doing something on the
5 buck side of the equation. And if they felt
6 that there were not, then it's over with. We
7 don't need to have any more discussion. The
8 committee began to look at that issue. Their
9 first decision was that they believed that
10 more balanced buck-to-doe ratios would have a
11 positive biological effect, and on that basis
12 they began to look into this issue a whole lot
13 more. One of the first things that we -- the
14 first things that we did was we did some
15 survey work to see if we could figure out
16 whether there was even any rationale for even
17 entertaining looking at any type of a buck
18 restriction. We commonly hear that, you know,
19 the average number of bucks harvested per
20 hunter is one point two, and that would
21 absolutely make no sense to try to do some
22 kind of a one buck limit. One of the key
23 findings from looking at the data of our

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1 committee was that a third of the total buck
2 harvest in the 2
000/2001 season, if I'm not
3 mistaken, was accounted for by hunters who
4 harvest four, five, six, seven, eight, nine
5 bucks, four bucks or more. And the group felt
6 like that, well, if that percentage, a third
7 of the bucks are being harvested through that
8 group, then perhaps there is a chance through
9 a five buck limit, four buck limit, three buck
10 limit or something like that. There may
11 actually be a way without impacting very many
12 hunters because that third is by fourteen --
13 four percent of the hunters, I believe; is
14 that correct? Without impacting very many
15 hunters, we could have a chance to try to
16 bring buck-doe ratios more into line. That
17 committee presented that information to our
18 board of directors who passed a resolution in
19 support of the three buck limit. That was in
20 2002. We did not want to take that and try to
21 force that upon anyone, so I came and talked
22 to you, Dan, and shared the information with
23 you. As we discussed, there are a lot of deer

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1 issues out there, and we -- I made the
2 suggestion that, you know, maybe that's the
3 way to do it, is to put a committee --
4 subcommittee together of the conservation
5 advisory board to take a look at these things,
6 have some other biologists to see if that
7 thinking is good, off base. And then go from
8 there. Our board in February met and
9 entertained potentially what this subcommittee
10 might come up with as to what they thought was
11 a positive biological thing to be done on the
12 buck side of the equation. And our board
13 voted to recommend and support the same three
14 buck limit that we passed a resolution on a
15 year ago. Our board voted to be opposed to
16 any antler-based restrictions only because of
17 some of the things that -- you know,
18 first-time hunters and taking away the
19 opportunity for children to harvest their
20 first deer. At that time, we discussed, well,
21 what if a combo approach is considered to be
22 the appropriate middle ground between trying
23 to keep from having negative impacts on the

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1 non-biological things but trying to have some
2 positive biological impacts. Our board voted
3 that if, after the committee presented its
4 information to this conservation advisory
5 board and it felt the compromise approach was
6 an appropriate approach that even though we
7 prefer the three buck limit that we would be
8 in support of the combination appropriate if
9 after all of this input it was decided that
10 that was an appropriate approach to take. So
11 that's kind of what led us to this point, Dan,
12 and to you, conservation advisory board
13 members. Those are the positions of the
14 Wildlife Federation on this particular issue.

15 CHAIRMAN MOULTRIE: Yes, sir,
16 Mr. Porter.

17 MR. PORTER: Was the vote in your
18 organization -- was it a divided vote? Were
19 there some for and some against?

20 MR. GOTHARD: There are always some
21 people who are not in agreement on the -- in
22 committee -- and I've got several other people
23 who are here -- in committee on the three buck

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1 limit, there was no opposition to the proposal
2 for the three buck limit. On the -- our
3 committee on the combo approach, it was a six
4 to two vote in committee, and when it was
5 presented to our board, it was unanimously
6 approved by voice vote, Jim.

7 CHAIRMAN MOULTRIE: Mr. Hatley.

8 MR. HATLEY: Tim, how many members
9 are in the Alabama Wildlife Federation?

10 MR. GOTHARD: Right at about
11 eighteen thousand.

12 MR. HATLEY: Eighteen thousand?

13 MR. GOTHARD: Correct.

14 MR. HATLEY: How many licensed
15 hunters do we have in the state of Alabama?

16 MR. PUGH: Two hundred and twenty
17 something thousand licensed deer hunters.

18 CHAIRMAN MOULTRIE: Two hundred and
19 twenty thousand deer hunters?

20 MR. PUGH: Two hundred and twenty
21 thousand plus deer hunters in the state. Over
22 two hundred and seventy thousand licensed
23 hunters.

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1 CHAIRMAN MOULTRIE: Does that answer
2 your question?

3 MR. HATLEY: That answers my
4 question. I was just wondering what
5 percentage of licensed hunters in the state
6 were members of the Alabama Wildlife
7 Federation so I can kind of put things in
8 perspective.

9 CHAIRMAN MOULTRIE: Yes, sir,
10 Mr. Lynch.

11 MR. LYNCH: Yes, I think you should
12 point out, Tim, that the studies that were
13 available to group of subcommittee were two
14 studies. One of them was done of the AWF
15 members, and the second study was done of
16 license holders in the state. We had two
17 different studies. I'd also like to add that
18 I think it's important when we break out and
19 send subcommittees out to do research on
20 whether it's a deer issue or whether it's a
21 fishing issue and they bring back reports to
22 this board that we understand that individuals
23 on the board may totally disagree with that

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1 report. But we sent them out there to do a
2 job and to look at something and on the
3 subcommittee that I sat on, I was on one side
4 of one issue and I was on the other side of
5 another issue. So we're going to have various
6 members that serve on these committees. And
7 while it may be a very hot topic of the day,
8 we need to keep our mind set that the people
9 that we sent out there to do this are only
10 bringing back what their group discovered
11 whether you like it or you're opposed to it or
12 anything else. So let's keep that in mind as
13 we go forward.

14 CHAIRMAN MOULTRIE: Excellent
15 point. Mr. Coles.

16 MR. COLES: One thing I'd like to
17 point out to Mr. Hatley and to the members of
18 the board that you may or may not be aware of,
19 we have wildlife management areas in this
20 state that are presently and have been under
21 this kind of buck restriction. One in
22 particular is a Barbour County management area
23 that's had this restriction for five years,

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1 and they have the data to support the quality
2 of animals harvested, the number of days
3 hunted. I don't see Bill here, but Chris is
4 here. How many management areas presently are
5 under this particular buck restriction?

6 CHAIRMAN MOULTRIE: Chris, could you
7 take the microphone on the floor, please,
8 sir.

9 MR. COOK: There's five that have a
10 three point on one side for all bucks
11 harvested. It's not exactly like the one that
12 Ted mentioned. But, yeah, we have five
13 throughout the state. Barbour was the first.
14 Since this past hunting season, it's completed
15 its fifth year. Covington just finished its
16 fourth year. Spring Hills and Lauderdale just
17 finished their second and Lowndes just
18 finished its first. But all that, that three
19 point on one side has come about based on the
20 past harvest date. So that rule's appropriate
21 for those areas is why it was chosen.

22 MR. COLES: Mr. Cook and Mr. Gray
23 sat on this subcommittee and their reports on
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1 the management were available.

2 CHAIRMAN MOULTRIE: Mr. Porter.

3 MR. PORTER: Yeah, Corky, let me ask
4 you something about these subcommittees. Did
5 anyone from the department that has -- is in
6 the hierarchy of the administration of your
7 department -- did they serve on these
8 committees and gather any of this
9 information?

10 MR. PUGH: No, sir, they did not.

11 MR. PORTER: Do you have any comment
12 about the comments that have been made?

13 MR. PUGH: Well, this department has
14 a responsibility to take the biology, the
15 science and measure it with the human
16 dimensions side of wildlife management. And
17 without doing that, we're forsaking our basic
18 mission, which is to manage the fish and
19 wildlife resources of this state for the
20 benefit of the people. What I've heard
21 discussed is a three buck limit. Legal bucks
22 would be three points on a side, but you get
23 one mistake. And anything under two inches

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1 doesn't count as a buck. Well, most of the
2 deer hunters in this state do not have the
3 opportunity to carefully evaluate a buck
4 standing in a green field before they shoot.
5 I don't know how many of you have ever hunted
6 on paper company land. I've hunted it for
7 twenty-five years. Most of the mature bucks
8 on paper company land go to the clear cuts.
9 They're in clear cuts that are two, three,
10 four years of growth. If you have to
11 carefully count the antler points on a deer
12 before you pull the trigger on this kind of
13 land, you won't kill very many deer. Yes, we
14 have QDM on five or really six of our WMAs,
15 but as Chris Cook pointed out, that's because
16 the biology supports it on those specific
17 sites and because the hunters -- let's not
18 leave the hunters out of this equation --
19 because the hunters who hunt those areas
20 actually support that kind of restriction on
21 buck harvest. And when you look at the
22 literature on QDM -- I'm certainly not an
23 expert on it, but I know a little bit about it

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1 -- what you see is that it relies on
2 voluntarily self-restraint on buck harvest
3 through an educational approach, not a
4 regulatory approach. Gentlemen, if we start
5 to regulate in a narrow way that favors the
6 more experienced hunter, the more avid hunter,
7 or the hunter with greater opportunity, we're
8 working against maintaining the broad base of
9 hunters in this state. We're struggling every
10 day to recruit and retain as many hunters as
11 we can. I'd be very careful about regulating
12 in a narrow way that works counter to that.
13 The broader, the more diverse that base of
14 hunters stays, the stronger hunting is going
15 to remain in this state. When you look at
16 what the literature, the research shows about
17 complex regulations, the effect of that on
18 participation in hunting, this has been
19 responsive management. In a national survey,
20 one in four hunters, twenty-five percent of
21 hunters, report that complex regulations take
22 away from their enjoyment of the hunting
23 experience. Of hunters who quit hunting,

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1 eight percent of the people who quit totally
2 give it up, give it up because of complex
3 regulations. Right now you can manage deer on
4 your property just as intensively as you want
5 to in this state. The mechanism's there. You
6 have the freedom of choice to manage deer the
7 way you want to.

8 CHAIRMAN MOULTRIE: Mr. Pugh, could
9 I ask a point of clarification to Mr. Porter's
10 question that was any of your staff involved,
11 I know for a fact that the subcommittees tried
12 to involve y'all pretty extensively on getting
13 your input at the end of it, but if you could
14 just comment on that, was that as one-sided as
15 it may have sounded from Mr. Porter's comment,
16 and that y'all came and reviewed and got to
17 sit in on the subcommittee and listen to those
18 recommendations at the last meeting?

19 MR. PUGH: Yes, sir. At the last
20 meeting of that subcommittee, which has been
21 meeting for a period of months, we were
22 afforded an audience and by me or by we I mean
23 Gary Moody, our wildlife chief, Allen Anders,

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1 our enforcement chief, we were afforded an
2 audience with that subcommittee, and that was
3 at the juncture right before that subcommittee
4 voted on what actions they were going to
5 recommend.

6 CHAIRMAN MOULTRIE: That's correct.
7 And I want to make sure Mr. Porter's question
8 is answered. Allen Anders has sat with us on
9 the dog-landowner committee just from a
10 clarification of rules standpoint and has done
11 a wonderful job. I know we've called on him
12 many times. He's always willing to serve, and
13 he's done a good job with us on that.

14 MR. PORTER: Just because you're
15 talking about my question, I certainly didn't
16 intend for it to be one-sided. It's my
17 understanding that the hierarchy
18 administration of the department were not part
19 of the committee and they were given an
20 opportunity to just on one occasion at the
21 last meeting to come in and make an
22 appearance.

23 CHAIRMAN MOULTRIE: They also had
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1 input on the early selection of subcommittee
2 members on the report also. Dr. Smith.

3 COMMISSIONER SMITH: Yes, I'd like
4 to follow up on a question -- and, Corky, you
5 alluded to it -- about enforcement, of who's
6 got the difficulty or the ease of enforcing
7 these type restrictions they're talking
8 about.

9 MR. PUGH: I'd like to ask our
10 enforcement chief, Allen Anders, to address
11 that.

12 MR. ANDERS: Mr. Chairman, members
13 of the board. Well, it depends on -- the
14 enforcement, of course, depends on exactly
15 what kind of regulations you're talking
16 about. It varies a little bit between the
17 various types. With respect to a numerical
18 limit, yes, that's a real important -- in
19 effect, that's your enforceable numerical
20 annual deer limit. This is the way to
21 determine exactly how many a particular
22 hunter's killed at any particular time. With
23 respect to the antler-based limits, if there's

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1 a buck of choice or mistake deer, whatever you
2 want to call it, included in that, that would
3 render that one basically unenforceable since
4 you wouldn't have any way of determining which
5 deer that was. So they would all become
6 mistake deer, deer of choice at that point.

7 CHAIRMAN MOULTRIE: Mr. Willis.

8 MR. WILLIS: Mr. Chairman, I would
9 like to point at that the management area,
10 three point or better is only for sixteen days
11 out of the hunting season. And like he said,
12 if hunters -- I mean, the more experienced
13 hunters hunt the management area, my area,
14 I'll put it that way.

15 MR. PUGH: May I add something? As
16 to a numerical restriction on bucks, yes, it's
17 largely unenforceable. Our accounting staff
18 has been in communication with other fish and
19 wildlife agencies across the nation on this
20 issue of how do you do that. Do tags work?
21 No. The consensus from agencies that we've
22 communicated with across the country is that
23 tags are a burden on the hunter. They're an

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1 expense to the program that the hunter pays
2 for, and they're largely unenforceable. A
3 numerical limit -- and this is our strongly
4 held belief -- will -- if it's anything more
5 than one buck -- and we would not advocate
6 that, just to be clear -- if it's anything
7 more than one buck, it's our strongly held
8 belief that that would have an unintended,
9 undesirable effect of increasing the buck
10 harvest in this state. It will be a goal for
11 the hunter to strive for. Right now the
12 average per hunter harvest is two deer, one
13 buck and one doe. And there are three factors
14 that drive that. One is the skill of the
15 hunter, another is the desire of the hunter,
16 and the third is opportunity. And if that
17 limit is out there as a goal to strive for,
18 it's going to change the desire of the
19 hunter. I don't know how many of you turkey
20 hunt, but we've got a five bird limit in
21 Alabama. And those of us who are afflicted
22 with that disease will absolutely drop or try
23 to kill five turkeys.

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1 MR. COLES: How much drop in the
2 participation is there when we lower it to
3 sixty-five?

4 MR. PUGH: I don't know the answer
5 to that.

6 MR. COLES: I would dare say that it
7 has absolutely increased in the last ten
8 years, perhaps as much as a forty percent
9 increase, and yet we still have lowered our
10 limits on turkey.

11 MR. PUGH: If the limits were the
12 only factor that played into that equation,
13 then it might be valid to conclude that, but
14 as you know, there's been a tremendous
15 increase in the popularity of turkey hunting,
16 not only because of the opportunity that's
17 there in terms of the number of birds that we
18 have, which is astronomically high, but most
19 of the turkey hunting is through NWTF and
20 others. When you look at the antler-based
21 restrictions -- and, Ted, you touched on this
22 a little bit, either in what you were saying
23 there or in your -- there is a real concern --

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1 and I'd like to call on Gary Moody, our
2 wildlife chief to talk about this -- but there
3 is a real concern that antler-based
4 restrictions result in hydration of your
5 deer. We went over four or five years ago and
6 met with a biologist in Mississippi about
7 their four point or three point limit, and at
8 that point in time, they expressed a grave
9 concern to us about what they saw as a
10 collision between the short-term popularity
11 with their hunters carrying a year class of
12 bucks forward and what they knew biologically
13 was going to be high grade. It's my
14 understanding that now their fears are coming
15 true. They're actually seeing a decrease in
16 the quality of bucks in some soil types and
17 some regions of Mississippi. Mr. Moody.

18 MR. MOODY: Thank you. Members of
19 the board, we do have a lot of concerns, and a
20 lot of those have already been stated. I
21 won't reiterate those, but specifically on
22 condition and long-term health of the deer
23 herd, that's our number one interest. And

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1 hydrating is something that can happen. Now,
2 as biologists, we do subscribe to managing
3 deer herds in a balanced manner and in an
4 appropriate way the buck-doe ratios equally.
5 We work with landowners on a daily basis. Our
6 biologists work with hunting clubs and
7 landowners nearly every day to help them
8 formulate plans that will meet their
9 objectives. And if their objective is better
10 quality of deer, there's a way to do that but
11 it's on an individual basis. It's not a
12 statewide and broad basis. These management
13 areas that you were talking about only came
14 about a couple of ways. One is that we did
15 extensive surveys of the management area
16 users, the individual users on those specific
17 management areas, and we had a better than
18 majority buy in. It had to be better than
19 sixty percent before we would even buy in,
20 that they wanted to do that on that
21 management. And then the biologists looked at
22 the harvest criteria on that specific tract of
23 land to develop the criteria that would meet

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1 the goals of that specific tract of land. And
2 that's what needs to be on every tract of land
3 if the landowner is interested in doing
4 something. We need to look at the harvest
5 date individually; otherwise, you do run the
6 risk of setting a criteria that will
7 ultimately not meet the objective and, in
8 effect, do a detriment to the deer herd. The
9 Mississippi case that Corky is talking about,
10 when we met with them, they were very
11 concerned, and all that they had done on the
12 four point rule -- and this was from their
13 deer project leader and their director and
14 their chief of wildlife -- indicated that in
15 fifteen years -- fifteen to eighteen years
16 they would have a deer herd that had poorer
17 quality antlers than what they started with.
18 And they are very concerned about it. They
19 are making some adjustments in a couple of
20 areas, but I don't think they've resolved the
21 problem. So I would say before we do almost
22 anything statewide, we better be very careful
23 about what we're trying to accomplish.

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1 CHAIRMAN MOULTRIE: Does any of the
2 board have any others before we move on to
3 other issues within the deer special
4 committee? Any other questions of any of the
5 speakers?

6 MR. PORTER: I just want to be sure
7 before we move on we make sure my motion
8 gets --

9 CHAIRMAN MOULTRIE: We have not lost
10 sight of that, Mr. Porter. Mr. Coles, other
11 items within your committee?

12 MR. COLES: Yes. We had a total of
13 three recommendations. One dealt with
14 crossbows. We recommended establishing a
15 crossbow season to run concurrent with the
16 muzzle loaders season. This season would
17 allow deer hunting to cross with bow beginning
18 one week prior to the opening of modern gun
19 deer season and extending until January 31st.
20 The allowable crossbow specs would be
21 determined by the department including
22 allowable air length sites,
23 et cetera. Our other recommendation was a

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1 muzzle loader season was recommended to
2 increase from three days to seven days. The
3 season would allow deer hunting with a muzzle
4 loader beginning one week prior to the opening
5 of modern gun deer season and extending until
6 January 31st. That concludes our
7 recommendations.

8 CHAIRMAN MOULTRIE: Thank you,
9 Mr. Coles.

10 MR. COLES: The feeding subcommittee
11 has a recommendation. We request that the
12 wildlife fresh fishery division establish
13 guidelines under which supplemental feeding
14 and hunting can occur simultaneous on a given
15 tract within the current law 911-224, to
16 request wildlife fresh fisheries division to
17 establish guidelines under which supplemental
18 feeding and hunting can occur simultaneously
19 on given tracts within the current law.

20 CHAIRMAN MOULTRIE: Now, along those
21 same lines, Mr. Porter has a motion, and it
22 has been seconded. I'd like to read that
23 motion. It says, we oppose -- this is --

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1 Mr. Porter, if I miss anything here, let me
2 know. This board will go on record that its
3 position is as follows: We oppose Senate Bill
4 49 and House Bill 518 or any substitute or
5 amended versions and -- I have a hard time
6 reading your writing. If you'll read...

7 MR. PORTER: And that we support the
8 provisions of Section 911-244 and Section
9 911-245, Code of Alabama, which prohibits
10 hunting over bait.

11 CHAIRMAN MOULTRIE: Mr. Porter, do
12 you have any discussion more on that since
13 everything has been voiced now?

14 MR. PORTER: Yeah, I do have some
15 discussion. I appreciate it, Mr. Chairman. I
16 touched on it originally. There's no doubt in
17 my mind that the bills that are presently in
18 the legislature need to be addressed strongly
19 by this board. I think they're wrong. I
20 think the board needs to go on record as
21 saying that we do not believe in baiting. The
22 present law on the books says that you can't
23 bait. It's illegal. And I think the board

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1 needs to send a clear and concise message to
2 the legislature that the advisory board -- the
3 job that we have is to advise on these issues
4 -- is flatly against it. There's nothing
5 biologically, there's nothing sociologically,
6 there's certainly nothing ethically that
7 supports this type of conduct in any shape,
8 form, or fashion. It will kill hunting, and
9 it will kill the sports we love. We have
10 outdoors. And it will lead to the end of
11 hunting. I can assure. I have thousands of
12 members who are very concerned about this,
13 that are dead set against this. In other
14 states if you look at the big picture, these
15 type of supplemental feeding, it starts the
16 downward trend on your ability to hunt. And
17 it affects the everyday working guy and his
18 ability to go out there and hunt like these
19 other suggestions that they brought here. And
20 in the remarks that Mr. Hatley made, it's
21 going to adversely affect hunting. It's going
22 to kill hunting. The average working man
23 can't out bait the big shot landowner. It

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1 just ain't going to happen. I think we need
2 to send a concise message, which this motion
3 is. I think we ought to send an unwaivering
4 message, which this motion is. Thank you.

5 CHAIRMAN MOULTRIE: Thank you.
6 Commissioner Lawley, do you have the current
7 status of these bills?

8 MR. LAWLEY: The Senate bill is out
9 of committee. The House bill will be on
10 Wednesday at one-thirty.

11 MR. SPARKS: The Senate bill's out
12 of committee. Mr. Porter, did you go to that
13 committee?

14 MR. PORTER: No. The reason I
15 didn't is because the meeting of the committee
16 was posted, I think, about six o'clock the
17 night before that they had the Senate meeting
18 the next morning and it was specifically
19 walked through the committee. It was done
20 where even a lot of the committee members
21 weren't aware that they were having a
22 committee meeting. So that's why I wasn't
23 there.

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1 CHAIRMAN MOULTRIE: Any other
2 discussions from the board? Mr. Coles.
3 MR. COLES: Mr. Chairman, I have
4 read both of these bills quite extensively.
5 You know, if this advisory board did ever
6 recommend supplemental feeding and being able
7 to hunt around this during deer season, our
8 hands would be tied because state law right
9 now prohibits it under Section 911-244. So
10 any recommendations that this board makes that
11 would recommend feeding would be a moot issue
12 at least until that law would be repealed or
13 amended. First of all, Senate Bill 49 and
14 House Bill 518 establish feeding programs that
15 are volunteered. There's nothing that
16 mandatory in there that makes you have to
17 feed. You know, if you're talking about a
18 feeding, we've already got a food war. With
19 the invent of whitetail mix -- Ray Scott has
20 gotten rich off of whitetail, more so than he
21 ever did with bass. Everybody is trying to
22 plant the best food block, the most luscious
23 food block, the most beautiful food

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1 block so that they can keep the deer on their
2 property that they presently have and/or they
3 can attract deer from their neighbor's
4 property. There's already a war out there.
5 And when you kill deer on your property and
6 you're trying to -- or you harvest deer on
7 your property and you're trying to abide by
8 the law and you hang that thing up on the rack
9 and corn falls out of it from your neighbor's
10 property -- if you don't think it's going on
11 now, I mean we've got our head in the sand if
12 you don't think it's going on. It is going on
13 big time.

14 MR. HATLEY: Mr. Chairman, I call
15 for the question.

16 CHAIRMAN MOULTRIE: Okay.
17 Mr. Porter, the motion, since you have it,
18 could you read it again?

19 MR. PORTER: Yes, sir. The motion
20 reads like this: That this board go on record
21 that its position is as follows: We oppose
22 Senate bill 49 and House bill 518 or any
23 substituted or amended versions thereof and

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1 that we support the provisions of Section
2 911-244 and Section 911-245, Code of Alabama,
3 which prohibits hunting over bait.

4 CHAIRMAN MOULTRIE: All those in
5 favor, raise your hand. All those opposed.
6 Motion carries. That ends all our special
7 committee reports. I appreciate all the
8 special committees' time. Excuse me.
9 Dr. May.

10 DR. MAY: It's going to cover some
11 of the same stuff. I feel the department
12 should be involved in making decisions. I'd
13 like read a motion, that the wildlife and
14 freshwater fisheries division and its wildlife
15 biologists conduct a study for a program to
16 work with landowners to educate them for
17 better nutrition and health practices in
18 general in some cases by the use of
19 supplemental feeding, and report its
20 recommendation to the board for its
21 consideration in the development of a
22 departmental regulation on the nutrition and
23 feeding of the deer population during hunting

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1 season.

2 CHAIRMAN MOULTRIE: Doctor --

3 UNIDENTIFIED SPEAKER: Second the
4 motion.

5 CHAIRMAN MOULTRIE: It's been
6 seconded. Dr. May, do you have any other
7 discussion on the motion? Excuse me.

8 The motion that has been seconded is
9 that the wildlife and freshwater fisheries
10 division and its wildlife biologists conduct a
11 study for a program to work with landowners to
12 educate them for better nutritional and health
13 practices in general, in some cases by the use
14 of supplemental feeding. Then report its
15 recommendations to the board for its
16 consideration in the development of a
17 departmental regulation on the nutrition and
18 feeding of the deer populations during hunting
19 season. Dr. May, do you have any other
20 discussions?

21 DR. MAY: No. I'd just like a
22 biologist to have a part in what we're sitting
23 here talking about. I think they're the

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1 professionals, and I'd like to have their
2 input.

3 MR. HATLEY: I concur with Dr. May.
4 I think this is an excellent idea. And the
5 only thing that I would like to see deleted or
6 offer an amendment to that was that when you
7 get to the last sentence of that and it says
8 during hunting season, I would like for all
9 the studies to be done they would like, but I
10 do not think that we should go into -- based
11 on the motion we just passed previously, I
12 don't think we should add supplemental feeding
13 during hunting season on his motion.

14 CHAIRMAN MOULTRIE: Dr. May, do you
15 accept that?

16 DR. MAY: Well, his motion was for
17 talking about baiting more than (inaudible).
18 I'm not really considering baiting at all.

19 CHAIRMAN MOULTRIE: Mr. Porter, do
20 you have discussion on Dr. May's motion?

21 MR. PORTER: Yeah, I do. I was
22 wondering did he accept the amendment that
23 Mr. Hatley offered as a friendly amendment or

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1 not?
2 DR. MAY: I'm not sure I understood
3 what --
4 MR. PORTER: He wanted the words
5 during the hunting season omitted.
6 MS. McPHERSON: He wanted the motion
7 changed, the last sentence.
8 CHAIRMAN MOULTRIE: Mr. Hatley, can
9 you tell us again what you'd like to see
10 struck from that?
11 MR. HATLEY: The last sentence of
12 the motion.
13 CHAIRMAN MOULTRIE: The last
14 sentence of the motion.
15 MR. HATLEY: Read it to me, please.
16 CHAIRMAN MOULTRIE: Okay. Then
17 report its recommendation to the board for its
18 consideration and develop a departmental
19 regulation on the nutrition and feeding of the
20 deer population during hunting season.
21 MR. HATLEY: Nutritional feeding,
22 period.
23 CHAIRMAN MOULTRIE: There's been an
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1 amendment to strike that -- is there any
2 discussion on accepting the amendment? The
3 amendment again is to remove the last sentence
4 after -- last sentence reads, then report its
5 recommendation to the board for its
6 consideration and development of a
7 departmental regulation on the nutrition and
8 feeding of the deer population during hunting
9 season, striking of the deer population during
10 hunting season. All those in favor of the
11 amendment striking this? All those in favor
12 of striking the amendment to Dr. May's motion,
13 striking the last sentence. Let me get a
14 count, please. Is the board clear on what
15 we're voting on?

16 MR. WILLIS: No, I'm not. I want to
17 ask a question?

18 CHAIRMAN MOULTRIE: I want the board
19 to be clear on what's being voted on.

20 MR. WILLIS: If he's talking about
21 feeding, is he going to be feeding during
22 hunting season or at the same time we just got
23 through passing a thing that said you couldn't

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1 feed. If he's going to run an experimental
2 thing that he can feed these deer during
3 hunting season, I mean we just --

4 CHAIRMAN MOULTRIE: It's my
5 understanding from Dr. May's motion here it's
6 just to ask for a study.

7 DR. MAY: That's exactly what I was
8 asking for. All I was asking for was the
9 department to conduct a study and report back
10 to this board on their recommendations only on
11 the study I asked them to make and whether
12 they were for it or against it.

13 CHAIRMAN MOULTRIE: Okay.
14 Mr. Sparks.

15 MR. SPARKS: You know, there again,
16 all he's asking for is a study, and I think we
17 ought to accept the recommendation that he's
18 made and allow these folks to do the study and
19 report back to the board to give us
20 information.

21 MR. COLES: We're not asking for a
22 lot here today. We're asking for a study, and
23 in my opinion, you've got to have science and

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1 studies to make decisions. So, you know, we
2 ought to give the opportunity to allow this to
3 be done.

4 CHAIRMAN MOULTRIE: All the debate
5 now is further amendment of during the hunting
6 season. Mr. Porter.

7 MR. PORTER: First of all,
8 Mr. Chairman, I'd like to raise a point of
9 order. It seems to me that his motion is not
10 even in order because we've already voted.
11 This board has already said that we support
12 the law in the state of Alabama that says you
13 can't bait. You can't hunt over bait. So it
14 appears to me -- it's clear in my mind that
15 this motion is totally out of order and
16 totally contradictory to what we just did.

17 CHAIRMAN MOULTRIE: Okay. We have
18 to settle the amendment right now and then we
19 can talk about the motion. Again, I'd like to
20 vote on the amendment, and then we'll go back
21 to the motion. Yes, sir.

22 MR. PORTER: The amendment -- if he
23 accepts the amendment, then that solves the

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1 dilemma.
2 THE PARLIAMENTARIAN: If you accept
3 the amendment, not him. You are going to vote
4 on the amendment.
5 MR. PORTER: I mean, he's made the
6 motion. There was an amendment.
7 THE PARLIAMENTARIAN: But he doesn't
8 have to accept it.
9 MR. PORTER: I know, but what if he
10 does accept it?
11 THE PARLIAMENTARIAN: If he does,
12 you still vote on the amendment because
13 it's --
14 MR. PORTER: Well, you vote on the
15 motion as amended.
16 THE PARLIAMENTARIAN: You're voting
17 on the motion of the amendment to strike.
18 CHAIRMAN MOULTRIE: And then we'll
19 vote on the motion --
20 THE PARLIAMENTARIAN: Then go back
21 to the motion.
22 CHAIRMAN MOULTRIE: Yes, sir.
23 DR. MAY: The doctor here, what it
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1 is, he didn't understand and can't hear good
2 and he didn't understand the part that we
3 think you're only going to feed during hunting
4 season. And he thought -- he didn't mean it
5 that way. He's wanting to make a motion that
6 the study be done year-round. So if we want
7 to amend part of what he wrote down there,
8 let's get on with it.

9 CHAIRMAN MOULTRIE: For
10 clarification -- let me clarify again, the
11 motion on the floor is on the amendment, not
12 on Dr. May's motion. During hunting season is
13 what's being discussed. And so I'd like to,
14 if I could, ask for all those in favor of the
15 amendment striking during hunting season. If
16 you're in favor, raise your hands. All
17 opposed? Motion carries. Now, discussion
18 again on the motion.

19 MR. PORTER: We're ready to discuss
20 the motion as amended?

21 CHAIRMAN MOULTRIE: Yes, sir.

22 MR. PORTER: Well, I'm guessing -- I
23 think that I will make a point of order that

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1 it is out of order. This motion is totally
2 and completely out of order and contradictory
3 to what we just did. I ask the chairman to
4 make a ruling on it.

5 CHAIRMAN MOULTRIE: Where is your
6 written document? After lengthy discussion
7 with Mr. Porter and the parliamentarian, we
8 feel that it's -- the board has -- the board
9 will stand at ease just one more minute. I
10 apologize for the delay on this. As I told
11 y'all, we're going to try to run parliamentary
12 procedure. And by doing the right thing,
13 we've consulted with Mr. Porter, we've
14 consulted with Mr. Moody, we've consulted with
15 the parliamentarian and with one of the
16 state's attorneys. And as of right now, we
17 feel that it would be appropriate for Dr.
18 May's motion to stand and ask for a study to
19 be done with the amendment and be voted on.
20 So with that said, Mr. Porter.

21 MR. PORTER: Do we discuss it now?
22 Can I discuss it?

23 CHAIRMAN MOULTRIE: And yes, sir.
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1 Well, Dr. May has the first right of that
2 discussion.

3 DR. MAY: Well, I want to elaborate
4 again. I mean, I can't understand
5 Mr. Porter's objection to us having a study
6 brought back to this very board for
7 consideration. Now, I'm not for baiting, and
8 I never mentioned the word baiting. I know
9 it's a close line between baiting and
10 feeding. And I don't know -- even know if I
11 would be for feeding, but I think this
12 department should have the authority and the
13 opportunity to investigate it just for the
14 health of our deer. And if we can't let them
15 do their job -- we're not asking them to
16 vote. We're asking them to present their
17 recommendation. And I think it should be
18 allowed.

19 CHAIRMAN MOULTRIE: Thank you,
20 Dr. May. Mr. Porter.

21 MR. PORTER: Dr. May, as a colleague
22 and a friend, I appreciate your point of view
23 about it, but I respectfully disagree. I

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1 think this is -- we've sent a very strong
2 message. We are not for baiting. And to sort
3 of send a mixed message certainly won't
4 accomplish -- with the legislature up there
5 who is considering legislation as we speak on
6 this. And it's a mixed message. It's an
7 ambiguity. You know, when you start talking
8 about supplement feeding or baiting or
9 anything, the department has already, I would
10 assume -- and if I might ask Corky. Do y'all
11 have a position on supplemental feeding?

12 CHAIRMAN MOULTRIE: Before we get
13 into that, let me let you finish your
14 comments.

15 MR. PORTER: I was just seeing if
16 they had some position on it. I mean, they've
17 studied the issue, but fact of the matter is,
18 it's not going to change the ethical issue and
19 the waffling on the issue of baiting itself.
20 By agreeing to say you're going to study it,
21 indicates and gives some people an inkling
22 that maybe we'll approve it. Right now, our
23 position is that we are against it, it's

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1 wrong, we support the law that's on the
2 books. I see no reason to send a -- to -- I
3 think it will hurt us in the short-term with
4 legislation and the message we send, and I
5 think it's -- with all due respect, if you're
6 going to allow supplement feeding like that,
7 you might as well get rid of spotlighting as a
8 crime too because it's the same thing. We've
9 got a lot of problems. It's going to --
10 again, any type of supplemental feeding is
11 going to affect the rank-and-file hunter who
12 finds a part of his day to afford the hunting
13 experience. It's just going to be another
14 impediment. It's going to cost you hunting in
15 hunters.

16 CHAIRMAN MOULTRIE: Mr. Lynch.

17 MR. LYNCH: I was just going to say
18 that I would assume that Corky and his people
19 within his department, much like they've
20 looked at antler restrictions and buck
21 restrictions, they've looked at feeding from
22 other states also.

23 MR. SPARKS: Mr. Chairman, I call
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1 for the question.
2 CHAIRMAN MOULTRIE: The question is
3 -- the motion is that the wildlife and
4 freshwater fisheries division and its wildlife
5 biologists conduct a study for a program to
6 work with landowners to educate them for
7 better nutrition and health practices in
8 general, in some cases by the use of
9 supplemental feeding, then report its
10 recommendations to the board for its
11 consideration in developing a departmental
12 regulation on the nutrition and feeding. All
13 those in favor, raise your hand. All
14 opposed? Motion fails.

15 Now, we're going to take a recess for
16 lunch and a break. The court reporter needs
17 some more tapes, I understand. And we'll have
18 our public hearing part. Right now, it's
19 twelve o'clock. We'll reconvene at
20 twelve-thirty.

21 (A lunch break was had in the
22 proceeding.)

23 CHAIRMAN MOULTRIE: If everyone will
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1 take their seats. The next order of business
2 is the public hearing. When your name is
3 called, please go to the microphone and give
4 your name and the subject that you wish to
5 speak on. I remind you to speak only in turn,
6 and unruliness will not be tolerated. Give
7 each speaker the opportunity to speak.

8 First up, Mr. Ernie Anderson from
9 Mobile.

10 MR. ANDERSON: Thank you. This is
11 my first time here, and I hope it's not my
12 last. What I want to speak on -- I'm Ernie
13 Anderson. I'm with the Organized Seafood
14 Association of Alabama. We started about a
15 year and a half ago. And first of all, real
16 quickly, I just wanted to go over some points
17 regarding the seafood industry of Alabama. I
18 had put some handouts on the table there. One
19 of them is this industry's a three hundred and
20 fifty million dollar industry. If you include
21 the ship building, it brings it up to four
22 hundred and fifty million dollars.
23 Approximately six thousand people rely on this

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1 industry for survival in south Alabama and
2 throughout Alabama. We have seventeen hundred
3 fishermen who are directly related to -- rely
4 on the shrimping vessels. They work directly
5 on the vessels in Alabama. The industry in
6 2
7 000, I believe it was a hundred and
8 sixty-eight million dollar economic impact on
9 south Alabama. 2001, it dropped, reduced by
10 sixty-eight million dollars. The Organized
11 Seafood Association started about a year and a
12 half ago. When we started, we were working on
13 shrimp issues, which started -- people have
14 asked us to step in and start working with
15 them on other issues. Since then, we've been
16 able to put together and form an eight state
17 alliance of -- regarding the shrimp industry.
18 We've put together a marketing board for the
19 shrimp industry here in Alabama. The
20 producers, instead of taking three hundred to
21 eight hundred dollars home with them, all the
22 shrimpers, through education and discussion,
23 unanimously decided to put that money into
marketing their product, something that could

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1 pay off. Recently, we filed a trade
2 petition. We're part of that trade petition,
3 shrimp trade petition. One of the largest
4 trade policy attempts that have taken place in
5 the United States. It's larger than any steel
6 or any other petition. Alabama fishermen have
7 committed two hundred thousand dollars to that
8 and through that by committing a penny a
9 gallon for their fuel to the city of Bayou La
10 Batre. Basically what I'm here to ask you is
11 -- I had a meeting. A hundred and twenty
12 people came here, and a hundred and twenty
13 people asked us to come here to know that they
14 would ask that you not consider any regulation
15 as far as the closure of the base. We're
16 trying to put together an organization -- I
17 think it's Mr. Yeager and Mr. Minton -- that
18 we could work together better and got more
19 accomplished over this next year by not having
20 a cloud of possible closures and permanent
21 closures and restrictions on the families.
22 The other thing that I wanted to speak to as
23 far as representation on the board. I know

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1 one of the gentlemen took Mr. Ross -- and
2 maybe we want to take that up with you later.
3 But I'm impressed today with the
4 representation that the people here in the
5 hunting industry have and the passion that
6 they have, and we would like to have that
7 passion on this board and in this following
8 year try to facilitate that on this board.
9 That's it.

10 CHAIRMAN MOULTRIE: Thank you,
11 Mr. Anderson. I'd like to call Mr. Pete
12 Barber, please.

13 MR. BARBER: Mr. Chairman,
14 Commissioner Lawley, Commissioner Sparks,
15 members of the board. Before I make my
16 comments, I'd like to take this opportunity to
17 thank this board for the actions you took in
18 Eufaula on behalf of the net fishing industry
19 in Alabama. It's very greatly appreciated and
20 it's helping out a lot of fishermen. I was
21 intimately involved in the discussions in '97,
22 started in '97 and continued off and on on the
23 possible closures of areas in the upper part

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1 of the bay. Several things have happened
2 since then, but interestingly enough, one of
3 the big negatives -- and there was some very,
4 very animated discussions -- pro and con, and
5 they carried a lot of passion like Ernie
6 said. And he did a great job characterizing
7 the seafood industry in this state and its
8 value. But one of the problems with any type
9 of closure prior to the year 2
000 in this
10 state was the way our bait shrimping laws were
11 written. Whenever Conservation closed down an
12 area of the bay, they only closed for the
13 thousand or so commercial shrimpers. The
14 twenty-five or so shrimp bait shrimp fishermen
15 that held that license could still fish in
16 these closed waters. Truly in every sense of
17 the word a license to steal. In the year
18 2
000, the conservation department with the
19 assistance of the Alabama Seafood Association
20 successfully passed a bait shrimping bill that
21 had basically two elements to it. The first
22 element created bait fishing areas, small
23 defined bait fishing areas. The second
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1 element basically stated -- said, closed for
2 one, closed for all. If the areas are closed
3 to commercial fishing, they're also closed to
4 bait fishing and recreational fishing. And I
5 think that that is a good precedent for any
6 and all actions you might consider. Looking
7 at what had been passed out, I think, when
8 Mr. Yeager put it out, the lines as they are
9 drawn, I would have to oppose any of those
10 closures. Now, having said that, the concept
11 of establishing nursery areas with highly
12 productive grass beds to increase the shrimp
13 population in the bay, I think I'd be very
14 supportive of it. There's data that goes back
15 to 1979 that tends to indicate there's a
16 direct relationship between the amount of
17 shrimp caught in the bay and their dollar
18 value with the amount of days that the upper
19 bay is closed. Now, that's available, and
20 it's out there. There's another two studies
21 that show that grass beds are three to five
22 times as productive as far as habitat for
23 juvenile shrimp as just bare bottom. Having

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1 said that, I'd like the idea of the process
2 that is going to go forward because the people
3 that really know this stuff are the ones that
4 fish the bay and the other state holdings
5 involved. Thank you.

6 CHAIRMAN MOULTRIE: Thank you,
7 Mr. Barber. Avery Bates from Irvington to
8 come to the microphone.

9 MR. BATES: My name is Avery Bates.
10 I'm the vice-president of South Alabama
11 Seafood Association. Been before this board
12 one time before fighting for the commercial
13 fisherman's right to fish. Back in '95, there
14 were five hundred and some commercial gill
15 netters. Now it's down to a little over a
16 hundred. We're losing jobs left and right.
17 We produce lots of food in this state. The
18 shrimp closures has been acquired by equipment
19 that has been stated also by the commissioner
20 and the director possibly data that is not
21 quite correct. In other words, this year,
22 they had an opening -- 24 hour opening on
23 regulation in the upper bay for the areas that

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1 y'all said -- and also the area was closed on
2 the mouth of Bayou La Batre. There was not
3 one arrest was made for illegal size shrimp.
4 The legal law 1247, I think it is, is
5 sixty-eight to the pound. We were denied
6 access to that bay as commercial fishermen for
7 a number of days. We were denied access for
8 other areas in the past for almost the whole
9 season of legitimate size shrimp. This year
10 they proved beyond a shadow of a doubt some
11 fifty plus fishermen that there was legal
12 shrimp there. They also proved it in the
13 past. The crabbers, in fact, over that quick
14 opening lost thousands of dollars worth of
15 crab in some of these areas because they only
16 had a 12 hour period of notice. Therefore, we
17 had lost production from the crab industry and
18 hindered the crab industry. So we have been
19 affected by regulations that affect us to
20 making a living. We form the sea. You know,
21 the profit of the sea, you know, should
22 benefit everybody, not just one or two, not
23 just a green trout fisherman, but it should

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1 benefit everybody in the state, the profit of
2 the sea. Also addressing the dredging issue.
3 We handed to Mr. Lawley and we also handed to
4 the representative three hundred and fifty
5 signatures of licensed -- most of them
6 licensed oystermen who oppose dredging in the
7 state on public property. The reason was,
8 also biologically -- Mr. Eckmyer who is a
9 biologist, also Dr. Crocher who talked to him
10 over the phone said he was against it. Also
11 Sean Powers with the University of South
12 Alabama said he was against it because the
13 soft substrate would cause more problems.
14 Therefore, we would lose in the long run by
15 astronomical amounts of bottoms being dredged
16 because you had to sit there and watch it
17 continuously seven days a week. You say,
18 well, it's just over five days. Not for the
19 leases. The leases can work seven days a week
20 and catch any size oyster. That's in
21 accordance with law 912-37. There's other
22 laws like if you make a regulation 928 that
23 hampers or interferes with industry. The

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1 commissioner cannot do that and neither does
2 the board need to do things like that, make a
3 regulation that would hamper or interfere with
4 the industry. Thank you very much.

5 CHAIRMAN MOULTRIE: Thank you,
6 Mr. Bates. Mr. Steiner is next, Fred Steiner
7 from Gulfport.

8 MR. STEINER: I'm a retired soldier,
9 but I'm here to talk about seafood business.
10 I'm a fifth generation fisherman, but I spent
11 thirty years in the military and I retired a
12 few years. And I took it up as a hobby. But
13 I do represent a lot of people. I'm president
14 of the Baldwin County Seafood Association.
15 We've got crabbers, we've got shrimpers and
16 oystercatchers, we've mullet fishermen, we've
17 got a whole conglomerate of them. Primarily,
18 I want to talk to the commissioner. And some
19 of the comments I've got, I don't want them
20 taken out of context. So I want to clarify
21 myself early on. You notice the topic of this
22 thing that I want to talk about is called
23 burying the hatchet. And there's been a state

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1 of animosity between commercial fishermen in
2 south Alabama and Mr. Vernon Minton's
3 department. And let me tell you, what I'm
4 talking about happened before he even got
5 there, before many of his people were even
6 born. But he's had to live with the
7 consequences of what took place in the '40s.
8 And I want to tell this board what took place
9 so that they would better under the
10 relationship the commercial fishermen have
11 with the Department of Conservation. In the
12 '40s -- in 1946, '47, the decision was made
13 here in Montgomery, not down in south Alabama,
14 made here in Montgomery that they would dredge
15 off dead reefs in Alabama and those funds
16 would go back to the state. Well, southern
17 industries at that time and some of their
18 associates they took to do that. They went in
19 the north end of the bay and they started
20 dredging reefs. First of all, what they did
21 was they had to be declared dead. So they
22 brought on marine biologists, and they went
23 out and looked at the reefs and declared them

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1 dead. They went in and started digging them
2 up. So they got those dug up. The dredgers
3 would go down and pump mud on top of the live
4 reefs. After a period of time, the marine
5 biologist would come in and declare them dead
6 and then come in and dig them up. This
7 happened throughout the eastern seashore of
8 Baldwin County. Every major oyster reef that
9 we have was destroyed. There's no more Bon
10 Secour oysters. You may think you're eating
11 Bon Secour oysters. There's no such thing as
12 a Bon Secour oyster. We haven't had any in
13 fifty years. People think we do, but Vern, he
14 can address this. There's no oysters there.
15 Alabama oysters either come from Cedar Point
16 Reef or they import it from out of state.
17 Plain and simple. Now, that's what happened,
18 and the fishermen blamed the Department of
19 Conservation for it. They've never forgiven
20 them. And I'm telling you, when we go to a
21 meeting, there's hostility towards this man's
22 office, and they had nothing to do with it.
23 Now, I think for the most part that's gone.

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1 You know, with what's happened in the seafood
2 industry, people are beginning to get hungry.
3 So they found out that, hey, you can't go
4 accuse somebody. That's not the way to handle
5 your problem. What they need to do is get
6 organized. We've gotten organized.

7 CHAIRMAN MOULTRIE: Thank you,
8 Mr. Steiner.

9 MR. STEINER: Okay. I'm going to
10 wrap it up.

11 CHAIRMAN MOULTRIE: Mr. Steiner,
12 thank you very much. How long is your last
13 comment?

14 MR. STEINER: Well, I want to talk
15 about accountability.

16 CHAIRMAN MOULTRIE: We're going to
17 have to hold everybody to three minutes. I
18 apologize, Mr. Steiner. The commissioner --
19 unless the commissioner would like to hear
20 it. Commissioner?

21 MR. STEINER: This is his program,
22 not mine. What I'm going to recommend that he
23 do --

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1 CHAIRMAN MOULTRIE: I understand
2 that, but each speaker is limited to three
3 minutes, Mr. Steiner.

4 MR. STEINER: Well, let me wrap it
5 up, then.

6 CHAIRMAN MOULTRIE: Very quickly,
7 Mr. Steiner.

8 MR. STEINER: What I was going to
9 ask the commissioner to do -- whether it's the
10 land department, the parks department, I think
11 this needs to be shared with the people in
12 Alabama.

13 CHAIRMAN MOULTRIE: Thank you,
14 Mr. Steiner.

15 MR. STEINER: My last point here --

16 CHAIRMAN MOULTRIE: Mr. Steiner,
17 you've run over your time. Thank you very
18 much. Mr. Self, do you have a comment?

19 MR. SELF: He was referring to
20 dredging in upper Mobile Bay and about a
21 petition that had three hundred and fifty
22 names on it against dredging. And I think
23 there may be some misconception about what

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1 dredging is. The dredging of the oysters many
2 years ago was a suction dredge. They were
3 dredging up the shells and taking the shells
4 that were many, many feet deep, and they
5 created -- they were taking the shells through
6 this process, and it's created a huge holes in
7 the bottom of Mobile Bay. And it also spread
8 sediment all down in the lower bay as he's
9 described covering up live oysters. The
10 dredging that's being proposed now, that's
11 being talked about is a small rake with a
12 basket on it that just rakes the bottom across
13 the shells and makes the oysters move up into
14 the basket and it's done with an outboard
15 motor and a small boat. So in case some of
16 the oyster fishermen are thinking about a
17 suction dredge being used on the --

18 UNIDENTIFIED SPEAKER: We know what
19 dredging is.

20 CHAIRMAN MOULTRIE: Please address
21 the chair. Mr. Steiner, I appreciate your
22 comments. If no one else will run over like
23 that, we'd appreciate your comments. Ross is

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1 the chairman of the subcommittee reviewing
2 commercial fishing. And he has plenty of time
3 to review that with you and that would be a
4 good avenue for you to approach him on. Next
5 I'd like to call Gordy Wright.

6 MR. WRIGHT: Gordy Wright from south
7 Mobile County. I'm a native of Bayou La
8 Batre. Mr. Ross saved a lot of my time to
9 clarify what Mr. Steiner was talking about
10 about the old suction dredge versus a
11 mechanical dredge. And I heard some of you
12 say earlier they didn't like, you know, what
13 they were doing in other states and in
14 Alabama. But there's forty-four Alabama
15 residents that bought licenses in Mississippi
16 this year, and since October the 1st, they
17 produced forty-nine thousand one hundred and
18 sixty-seven sacks. That totals up to about
19 eleven hundred sacks per boat. And,
20 gentlemen, I'm a leaseholder. I have eighteen
21 hundred acres, and I've been dredging
22 Porterfield for seven years in the east part.
23 I can stand here before you and tell you

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1 beyond a shadow of a doubt that it works. And
2 I know it works. It cultivates the bottom.
3 It loosens the bottom. The oysters grow
4 quicker. It makes a cleaner oyster. It does
5 away with the conch drill. It's a nuisance to
6 the oyster. And it will work. And we need
7 this in south Mobile County. I know we can't
8 produce anything like Mississippi to start
9 because they've been doing it for a hundred
10 years. But we need something to start on, and
11 it will grow to a great potential, and I know
12 this. And that's all I wanted to say. So
13 maybe I can give somebody else a little bit of
14 my time.

15 CHAIRMAN MOULTRIE: Thank you for
16 keeping it brief. The board thanks you. I'd
17 like to call Mr. William Copeland from Rainbow
18 City, Etowah County.

19 MR. COPELAND: Chairman,
20 commissioner, board members, and fellow
21 hunters. It's a real pleasure for me to be
22 here representing the Neely Henry Lake
23 Association today and addressing a subject

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1 that our members are very concerned about.
2 That subject is waterfowl hunting from boats
3 which are located too close to the lakeshore
4 homes. Neely Henry Lake Association requests
5 that the State hunting regulations be amended
6 to ensure migratory waterfowl hunters shooting
7 from floating watercraft, such as boats, are
8 located a minimum three hundred yards from any
9 home, house, boat house, boat landing, dock,
10 public road, or public area, such as camping
11 and picnic areas, unless approved otherwise in
12 writing by all landowners within three hundred
13 yards of said floating craft. At present,
14 your paragraph 220-2-.11 permits hunting from
15 boats not under power but does not restrict
16 the distance to homes, and this part is what's
17 creating an unsafe condition in our opinion.
18 You say, why do we need to make this change.
19 Existing regulations allow hunters to park
20 their boat right along your shoreline and
21 shoot directly over your house at waterfowl.
22 Any goose or duck that is flying over your
23 house is fair game. They can shoot at it. By

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1 restricting the firing of shotguns to three
2 hundred yards or more from homes, boat houses,
3 docks, and other hunting areas, we think the
4 hunting can continue. And this proposal in no
5 way is intended to restrict hunting in an
6 undue manner. All we're doing is asking you
7 to consider the homeowner's rights as well as
8 those hunters and make this thing safe for
9 both parties. Thank you.

10 CHAIRMAN MOULTRIE: Thank you,
11 Mr. Copeland. I'd like to call Ms. Sybil
12 Deschanes from Elmore County.

13 MS. DESCHANES: I really didn't have
14 anything particular I wanted to say, but thank
15 you to the advisory board for granting a
16 restriction against deer hunting with dogs in
17 Elmore County eight years ago. I spoke with
18 the county sheriff and the county probate
19 judge just within the last few days and they
20 said they hardly realized hunting season was
21 open in that part of the county. I want to
22 say thank you. I want to thank Mr. Lawley and
23 Mr. Self for encouraging me to buy a hunting

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1 license. The first one ever in my life. I'm
2 not going to do like Mr. Kelly did and tell
3 you my age. But I now own a hunting license.
4 Thank you.

5 CHAIRMAN MOULTRIE: Thank you. I'd
6 like call Elmore Dorough from Columbia,
7 please.

8 MR. DOROUGH: Mr. Chairman, board
9 members, fellow hunters. I'm Elmore Dorough,
10 vice-president of the Alabama Coon Hunters
11 Association. I'd like to tell you a little
12 bit about how our association operates. We
13 have fifty-six clubs in the state of Alabama.
14 We are sanctioned under the United Kennel
15 Club. And every state has their own
16 organization. And we do pleasure hunt, but we
17 do competition hunt. And we have several
18 hunts during the year that is United States
19 wide, and we have one that benefits the
20 Shriner's Burn Hospital. We also have a
21 benefit hunt for the Children's Hospital,
22 St. Jude. We have a hunt in April up there.
23 We usually pull in a hundred, two hundred

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1 thousand dollars for them. So I just wanted
2 to let you know we do other things other than
3 just pleasure hunt. And we would like to ask
4 you to put our season back from October 1st to
5 February 28th like it always was. That's all
6 I have to say.

7 CHAIRMAN MOULTRIE: Thank you,
8 Mr. Dorrough. I'd like to call Rick Guhse from
9 Andalusia. Is he here?

10 MS. MCPHERSON: He may have left the
11 room.

12 CHAIRMAN MOULTRIE: Next, Mr. Henry
13 Vickers from Birmingham.

14 MR. VICKERS: Mr. Chairman,
15 commissioner, and advisory board members. I'm
16 a property owner in Henry County, Russell
17 County, and Jefferson County. And my purpose
18 for being here today has already been answered
19 when the advisory board decided to not support
20 supplemental feeding during hunting season.
21 Thank you for your time.

22 CHAIRMAN MOULTRIE: Thank you,
23 Mr. Vickers. Next I'd like to call Mr. Lee

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1 Youngblood from Selma, Alabama.
2 MR. YOUNGBLOOD: Thank you,
3 gentlemen. I came to speak about dove
4 hunting. In Troy our dove hunting has really
5 gone away. It's just gone to heck in a hand
6 basket. I probably didn't hunt over two or
7 three times last year. Didn't see very many
8 dove at that. I don't have the answer to it.
9 I know because of Corky, they've got some
10 studies going now that might help us, and
11 certainly I think that's a real good idea.
12 But I'm kind of one of these
13 let's-go-back-to-way-it-was folks. We were
14 having pretty good seasons until we started
15 having twice a day shooting and earlier
16 seasons and whatnot. And that might or might
17 not be the answer, but until we can get the
18 answer, I'd like to request that we have a --
19 that we eliminate morning hunting and that we
20 go back to the later opening of the dove
21 season. And one more request. I could care
22 less whether we have a split season or not.
23 It doesn't matter to me whether we have it

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1 continuous all the way through or have a split
2 season, but if you do decide to have a split
3 season, let's at least start it during the
4 Christmas vacation for our high school and
5 college students so they'll have an
6 opportunity to hunt when they come home for
7 vacation and eliminate that portion of it that
8 goes on into January that nobody ever used
9 anyhow. Thank you for your time.

10 CHAIRMAN MOULTRIE: Thank you,
11 Mr. Youngblood. I'd like to call Mr. Keith
12 Campagna from Auburn.

13 MR. CAMPAGNA: This is not a hunting
14 issue. Thank you. My name is Keith
15 Campagna. I live in Auburn, Lee County. I'm
16 not sure what district. And I represent the
17 group called the Citizens for the Preservation
18 of Shell Toomer Parkway. So Chairman
19 Moultrie, thank you, and Mr. Lawley,
20 Commissioner Sparks, members of the board, and
21 ladies and gentlemen. I appreciate this
22 opportunity to address you today. Our group
23 wishes to alert you to a threat to the Shell

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1 Toomer Parkway. Printed comments and my
2 slides and other remarks are in your packets.
3 I believe I made eleven copies. I probably
4 should have made more copies but Robin has the
5 CD-ROM that has the full presentation, Power
6 Point, if you want to entertain yourself and
7 look at it. At any rate, if you want to refer
8 to the handout, I'll just walk through it
9 quickly. You can see that we are an
10 organization. We have a steering committee.
11 My information -- contact information is on
12 the there. On page 2, there are two proposed
13 developments at the corner of U.S. 29 and
14 Shell Toomer Parkway. You can see those. At
15 the bottom of page 2, we have a map that
16 highlights the one of most concern, the one
17 that is more likely to proceed at this time,
18 the one north of Shell Toomer Parkway and just
19 east of 29. On the third page, there's an
20 aerial photograph of highlights. Likewise, at
21 the bottom of page 3 is a concept plan
22 proposed in January of 2004 for the
23 development north of Shell Toomer Parkway, and

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1 this shows three ingress/egress points on the
2 Shell Toomer Parkway over a period of about
3 eight-tenths, nine-tenths of a mile. Concerns
4 we have are these will be negative impacts on
5 the natural environment of Shell Toomer
6 Parkway and on the safety and viability of the
7 Charlotte and Curtis Ward bike path which was
8 built and was recently dedicated September
9 2001 at three hundred thousand dollars expense
10 -- a bunch of it was federal money -- and
11 we're concerned about that. We're concerned
12 about impact on the unspoiled scenic entry to
13 the body of Chewacla State Park. A thousand
14 visitors use Shell Toomer every year. It's a
15 unique defining landmark of Auburn. It has
16 beautiful large wetlands and a value to all
17 visitors. Let me just go to the end. There
18 are plenty of pretty pictures in here. And to
19 go to the conclusions because I think it's
20 important. The concept plan for the Pace
21 property which proposes three points of
22 ingress/egress on Shell Toomer Parkway will
23 deface its natural beauty, demean its purpose,

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1 and place an unacceptable traffic burden upon
2 it and destroy the viability of the Charlotte
3 and Curtis Ward Bike Path. And Charlotte Ward
4 is here to address this issue as well.
5 According to Alabama Code 1975 9-14-1, the
6 Alabama legislature has defined public
7 property as any elongated strip of land
8 suitable for recreation and a pleasure vehicle
9 road to which the owners or lessees of
10 abutting property shall have no right of
11 direct access. Thank you.

12 CHAIRMAN MOULTRIE: Thank you,
13 Mr. Campagna. Mr. Campagna, does Toomer
14 Parkway connect with Toomer Drugs in Auburn?

15 MR. CAMPAGNA: Shell Toomer was a
16 pharmacist, as I am. And I taught Auburn
17 school of pharmacy for a long time,
18 twenty-five years. But he was a pharmacist
19 and then became a pretty prominent state
20 legislator, I think, in the '30s, so somehow
21 his name got associated with that.

22 CHAIRMAN MOULTRIE: Very good, sir.
23 I'd like to call Ms. Charlotte Ward from

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1 Auburn, also, please.
2 MS. WARD: I think you already know,
3 the only thing that seems to be important
4 about me is that I ride a bicycle, so did my
5 husband, who, although he taught chemistry at
6 Auburn for more than thirty years and I taught
7 physics and served on the city council, but
8 mainly, people remember that we rode
9 bicycles. So after his death, a colleague of
10 his suggested that Auburn's first, and at that
11 time only, bike path -- until about now --
12 only bike path be named for us, and so I just
13 come to speak in its defense. Shell Toomer
14 Parkway is a parkway leading from Highway 29
15 to Chewacla State Park. Presumably, as a
16 parkway, it is protected. Several very nice
17 housing developments have been developed on
18 either side of the parkway. The bike path
19 parallels the parkway. Our concern -- now, I
20 live on the other end of town. I can't even
21 get there anymore. I'm too old to ride those
22 six miles. But people tell me almost every
23 week how much they enjoy the bike path. The

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1 parkway is a beautiful area. And I just come
2 to speak on behalf of the people in that
3 neighborhood for a concern that the
4 development that undoubtedly will come to the
5 plot of land in question simply be accessed
6 from U.S. 29 rather than disrupting the
7 parkway and the bike path. Thank you for your
8 consideration.

9 CHAIRMAN MOULTRIE: Thank you,
10 Ms. Ward. Next, I'd like to call J.T. Russom
11 from Chilton County, Verbena.

12 MR. RUSSOM: My name is J.T.
13 Russom. I would like to thank this board for
14 their service and all that you have done for
15 the people of Alabama. Thank you.
16 Commissioner Lawley, I want to thank you for
17 your efforts on behalf of Oak Mountain State
18 Park and the deer herd. I would hope that the
19 sharpshooters are just a temporary thing and
20 that hunting will be a part of a long-term
21 solution. Thank you. I would like to ask the
22 Department of Conservation to look into a
23 fourteen inch bass limit on Lake Demopolis. I

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1 feel it's hurting the fishing tournaments
2 there. I can't see that it's improving the
3 fishing any. I've fished there for years and
4 years, and bass clubs bring in big bucks.
5 Thank you.

6 CHAIRMAN MOULTRIE: Thank you,
7 Mr. Russom. Next, I'd like to call Mr. Jack
8 Dews from Tuscaloosa.

9 MR. DEWS: Mr. Chairman, members of
10 the board, ladies and gentlemen. I'm Jack
11 Dews. I'm a transplanted Razorback, and I've
12 lived in Tuscaloosa for twenty years. And I
13 have fallen subject to an illness called dove
14 shooting. And as a member of the Tuscaloosa
15 Dove Shooting Association, I've been asked to
16 give you a proposal for a three way split dove
17 season for the northern zone that will allow
18 people whose main interest is dove hunting to
19 enjoy the best possible shooting by taking
20 advantage of the times when the largest number
21 of doves are present in the north zone. As we
22 understand it, federal guidelines allow a
23 three way split in Alabama. We'd like to see

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1 two weeks in September carefully arranged in
2 and around the home schedule of the two state
3 universities' football games. Two weeks in
4 September will allow those who want to shoot
5 as early as possible to shoot locally raised
6 doves. By the end of two to three weekends of
7 hunting, the local bird population is too
8 greatly diminished and scattered to afford
9 good hunting. Starting perhaps late in
10 October we'd like a second season which would
11 run through mid November, which would allow
12 hunters in the northern zone to begin to take
13 advantage of the snowbirds, the migrant birds
14 that come down from the north. And we can
15 shoot them over freshly harvested fields,
16 which are not always harvested early in
17 September. And then a third season we would
18 like to see is the three weeks in late
19 December, which would allow hunters to take
20 advantage of still further late migrants and
21 allow college students and others who are home
22 on leave to join in with their family and such
23 hunting. We hope you will be able to consider

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1 a motion on that.

2 CHAIRMAN MOULTRIE: Thank you,
3 Mr. Dews. Next, I'd like to call Mr. Allen
4 Crockett of Montgomery.

5 MR. CROCKETT: Hello, gentlemen of
6 the board, Mr. Lawley. I'm Allen Crockett
7 with the Alabama Society of Traditional Bow
8 Hunters. I'm here mostly now to say that
9 ASTB, which is probably the second largest bow
10 organization in the state of Alabama, in
11 association with BHA, to stand here and
12 represent, let's say, the bow hunting
13 interest. I gave you a little thing up there
14 about modern in-line muzzle loaders and I'd
15 ask if you have chance maybe to take a look at
16 it. Maybe we can talk a little bit about
17 tradition. Traditionally on October 15th
18 we've had a bow season start. This has been a
19 bow only season. It ran until approximately
20 the first week before Thanksgiving. This is a
21 time where archers because of a limited impact
22 (inaudible) the woods company, and we have a
23 chance to go in there hunt an animal that's

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1 undisturbed. Now, we had last week three days
2 before the muzzle loaders come in. I've heard
3 that there are propositions for a week of
4 muzzle loaders and a week of crossbow
5 hunting. Sometimes affording a different
6 opportunity to everybody isn't the best thing
7 for everybody involved. I shoot a muzzle
8 loader. I shoot a rifle. I like being there
9 during the opening day of hunting season.
10 Alabama-Auburn game, opening morning, you hear
11 the gun go off. Hunting season has started.
12 It's a separate season, and it should remain
13 separate. I've included some information
14 which kind of details, let's say, modern
15 in-line rifles, how they are being considered
16 to be included in the bow season, and how it
17 doesn't seem appropriate that essentially --
18 you know, a hundred percent modern, a hundred
19 percent Remington. This weapon is, you know
20 -- why is it -- if this is not a modern
21 firearm to be in general firearm season, then
22 what is? And if it is a modern firearm, why
23 is it afforded a separate season? So I would

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1 just like you to look at this, and I feel like
2 we have the greatest opportunities in the
3 country to hunt. And sometimes the status quo
4 is better. You're protecting bow season,
5 which is protecting general firearm season. I
6 would hope, and the Alabama Society of
7 Traditional Bow Hunting would hope, that you
8 strongly consider rescinding the muzzle
9 loading season or at best limiting muzzle
10 loaders to just flint locks or percussion
11 muzzles. Thank you.

12 CHAIRMAN MOULTRIE: Thank you,
13 Mr. Crockett. Next I'd like to call Mr. Jack
14 Cropp from Pell City.

15 MR. CROPP: Mr. Chairman,
16 Mr. Lawley, members of the board. I usually
17 start out with -- got a few words to say in
18 favor of the old traditional method of hunting
19 deer with dog, but today we've got enough here
20 to take care of that. I'll talk about a
21 couple of other things. I keep hearing about
22 how there are -- the number of license buyers
23 in the state is continuing to fall off, and

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1 I'd like to see this board make some resource
2 users positive recommendations. I'd like to
3 see y'all make some recommendations that would
4 bring new people in that are not buying
5 licenses now. Do something that would
6 generate interest for the people that are here
7 buying licenses now, but I'd also like to see
8 y'all increase the bow season, crossbow
9 season. I know a couple of years ago Outdoor
10 Life magazine did a survey, and of the people
11 surveyed over eighty percent would make a
12 crossbow a legitimate weapon. And a couple of
13 years ago when Alabama relaxed the requirement
14 for the crossbow a little bit, there was
15 several hundred people applied for a license
16 and got one and enjoyed that crossbow that
17 year as I did. And I'd like to see them have
18 a little more time to use that crossbow. And
19 there's absolutely no reason why -- neither
20 morally or biologically or from an enforcement
21 standpoint why a crossbow shouldn't be given
22 the same status as a modern compound bow. The
23 old argument that a crossbow might be the

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1 weapon of choice for poachers just don't hold
2 no water anymore because you can by a compound
3 bow now with a hundred pound draw weight,
4 twenty-four inch length. Now, black powder,
5 another thing that you can do is increase
6 black powder season because everybody knows
7 how successful that was last year. Every gun
8 dealer in Alabama sold out on muzzle loaders.
9 And another thing I need to -- we need to do
10 something about the laws on scopes for archery
11 equipment and muzzle loaders. It's ridiculous
12 to tell me that I can't have a scope on my bow
13 or crossbow or my muzzle loader during gun
14 season. So if y'all take care of them things,
15 I'd appreciate it.

16 CHAIRMAN MOULTRIE: Thank you,
17 Mr. Cropp. Mr. Cropp, since you have a little
18 extra time left, I will assure you that the
19 commissioner is doing everything in his power
20 to make sure that even non-hunters buy hunting
21 licenses, which will afford a lot of folks in
22 the department to maybe generate some more
23 funds for the department, but we're trying to

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1 -- the commissioner is doing everything he
2 can in that and doing a very good job with
3 it. I'd like tall John Harmon from Wilcox
4 County, Alabama.

5 MR. HARMON: Mr. Chairman, board
6 members, I'm from Pine Apple, Alabama. I've
7 hunted the same area for thirty years. I've
8 seen it go from the time that it was nothing
9 to see forty or fifty does and deer a day to a
10 time now where it's much more manageable where
11 you see almost as many bucks as you do does.
12 We didn't have a rut to now we have a short,
13 very intense, very active rut. The problem we
14 face where I hunt is this rut is occurring in
15 February, and the season's over. And what I'm
16 asking you to do today and want you to do is
17 take a look at this specific area -- I'm not
18 talking about statewide -- but this specific
19 area and see if there's something that can be
20 worked where those of us who are practicing
21 quality deer management -- we've got our
22 numbers down in the area. I think Wilcox's
23 areas may be happening -- and see if we can

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1 work out something to extend the season. I
2 will accept any combination of the factors,
3 such as cutting off days at the beginning and
4 adding them at the end or all the way to
5 something I heard today. We've got a lot of
6 controversy about antler restrictions, tag
7 restrictions. Why not take a county like
8 Wilcox and maybe a couple of surrounding
9 counties, add a season on, make the hunters
10 that want to participate pay extra money, see
11 what it costs to go to a tag, see how much
12 cooperation you get with you antler
13 restrictions. You know, get some data from
14 actual hunters in the field and see what would
15 happen. And if it doesn't work, so be it.
16 And if it's a detriment to the herd, so be
17 it. We'll live with it. But I do want you to
18 think about that. We are having -- this is, I
19 would say, the third year in the row -- you
20 know, I hunt probably fifty times a year, and
21 I can tell you that the rut's good. We've got
22 it like it ought to be, but it's happening
23 most of the time in February. Mr. Chairman, I

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1 did want to mention one other thing. I'm an
2 Assistant United States Attorney here in
3 Montgomery, and I know the conservation people
4 and the excellent game wardens we have. I
5 know you know this. But we were talking about
6 the chronic wasting disease. I was out in
7 Idaho elk hunting, and they've got chronic
8 wasting disease. They've got many other
9 diseases that are just killing their herd.
10 And if we allow -- I have seen increased
11 instances of people wanting to bring in deer
12 -- particularly deer from other areas -- to
13 increase their antler size. I want to tell
14 everyone here, particularly the hunters, that
15 it is a misdemeanor violation in this state to
16 bring in animals, and if you do so, it is a
17 federal felony -- potentially a federal
18 felony. And any federal game warden or any
19 United States Attorney's Office would want to
20 know if there are people doing this. I urge
21 everyone here to protect our herd, because I
22 can tell you what's happening out west is
23 awful and we don't need it here. And the U.S.

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1 Attorney's Office and the game wardens --
2 federal game wardens in this state are
3 prepared to -- it's a harsh law. It's a
4 felony. Thank you very much.

5 CHAIRMAN MOULTRIE: Mr. Harmon,
6 that's the Lacey Act that you're speaking of?

7 MR. HARMON: Lacey Act, L-A-C-E-Y.
8 And if you have any questions about it, you
9 can call me personally at the U.S. Attorney's
10 Office here in Montgomery or anyone else.
11 Thank you very much.

12 CHAIRMAN MOULTRIE: I'd like to call
13 Mr. Doug Smith from Dallas County.

14 MR. SMITH: I'll pass.

15 CHAIRMAN MOULTRIE: Mr. Smith
16 passes. Next I'd like to call Mr. James
17 Waddell from Hale County.

18 MR. WADDELL: I don't have a whole
19 lot to say. Y'all covered a good bit of what
20 we came here to talk about in stopping
21 baiting. But I would like to see licenses,
22 the cost of them raised and use that money and
23 put some wardens out there that can enforce

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1 these no baiting laws. When you go into a
2 processor and there's, like they said earlier,
3 deer hanging up with corn trickling out of
4 their mouth somebody needs to get a ticket.
5 If it's not going to be legal, then it needs
6 to be enforced. And we had a bad drop in the
7 number of deer in Hale County, Marengo,
8 Greene, and I know of two places that I had
9 the chance to roam over quite frequently that
10 last year, year before last had a hundred and
11 fifty deer on it that you would see in one
12 day. Now, there's not thirty out there. And
13 there's no hunting on these two properties.
14 There's a little over six hundred acres each,
15 but still there's no hunting on them. Hunting
16 all around them and no hunting on them and the
17 numbers have dropped there. It's that bad. I
18 don't know whether killing too many does has
19 got something to do with it or not, but
20 something's wrong. That's all I had to say.

21 MR. SELF: I just want to make a
22 comment to Mr. Waddell. Any license increase
23 takes an act of the legislature, and if you'd

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1 like to have that happen, you need to talk
2 with your legislator.

3 CHAIRMAN MOULTRIE: Next I'd like to
4 call Howard Burns from Blount County.

5 MR. BURNS: Gentlemen, I thank you
6 for hearing us today. You've already, as
7 others have said, covered a great deal that I
8 intended to talk on. But the major topic that
9 I want to address at this time is the
10 restrictions on bucks. I've had hunted in
11 Cullman County in a club for about four
12 years. And as we heard earlier today, we were
13 in conjunction with our wildlife management
14 figures, and we try to mark our herds, take
15 the number of bucks and does that they tell us
16 to, and we think we've been successful in
17 doing this. At this time, Alabama in many
18 areas is dealing with an overpopulation of
19 deer. You know that deer and auto collisions
20 cost the state a great deal. Now, the clubs
21 and landowners at present have the capacity to
22 manage for big bucks if they desire. They can
23 do that in conjunction with the wildlife

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1 officials without any further restrictions.
2 Increasing the number of does harvested would
3 enhance buck-to-doe ratios. That's already
4 available to us. Also, if we have any more
5 restrictions, any more costs, that cuts down
6 on the number of hunters. We want to increase
7 the number of hunters. To pass it on to
8 future generations, we need no maintain the
9 cost. So what I say is let the hunters, the
10 club owners, and the wildlife officials manage
11 the deer and control the population as it
12 exists at this time. Also, I want to say I
13 thank you for your opposition to the baiting
14 bill that's before the legislature at this
15 time. Thank you for hearing me.

16 CHAIRMAN MOULTRIE: Thank you,
17 Mr. Burns. Next is Mr. Ted DeVos from Elmore
18 County. Is Ted DeVos still here? Next is
19 Mr. Sam Etheredge from Marengo County.

20 MR. WILLINGHAM: Ladies and
21 gentlemen, thank you for hearing us today.
22 I'm actually Ron Willingham from Demopolis,
23 Alabama, Marengo County. I'm here to

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1 represent different hunters from Marengo,
2 Greene, Sumter, and Hale County. A lot has
3 been said, of course, on the baiting issue.
4 We are here primarily concerning the length of
5 our doe season. We've had a sharp decrease in
6 our deer herds from our larger landowners down
7 to our smaller landowners or even leased
8 land. We wrote a proposal -- Mr. Barnett has
9 it -- that some type of shortness of the
10 season take effect, whether it be cutting down
11 the number of days that are in effect. Also,
12 the horn restriction. It seems like y'all got
13 a war going on between yourselves about the
14 horn restriction. You know, I'm not a
15 biologist. I don't claim to be. If you're
16 going to have big bucks, they've got to grow
17 old. And the only way you're going to get
18 them to grow old is not shoot them when
19 they're little. That's common biology. Your
20 plan -- I've never been able to get anybody to
21 tell me what the plan is. Why do we need to
22 kill these many does for deer management? If
23 the herd is overpopulated and they're starving

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1 to death, I need to see it in writing. I have
2 nothing to give my people to tell them why we
3 have to have this many doe days to get the
4 herd down this low. The second question is,
5 when is it going to stop? We've got to have a
6 game plan in the state of Alabama, but
7 nobody's ever been able to tell me in writing
8 what is the game plan. Is twenty thousand
9 deer too many, too little? There's got to be
10 a figure somewhere. And when is it going to
11 stop and when is it going to get to a plateau
12 that we can see the end of the tunnel? The
13 third question I had is, what is the benefit
14 of all these doe days and no restriction on
15 horns whatsoever in the state of Alabama? How
16 is it going to benefit the hunters we've got
17 right here in these chairs five years from now
18 if we go just like we're going right now with
19 no restriction on horns, no restriction on
20 does? There's a free game out there. It's
21 shoot anything that moves. And I have to
22 disagree with the gentleman about not being
23 able to tell. I really don't want you hunting

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1 on my place if you can't take the time to tell
2 if it's a spike or a doe or a yearling. I
3 don't want you hunting on my place. These
4 hunters -- like Mr. Porter said earlier, you
5 need to put out good input into any of our
6 hunting. We need to take our time. We need
7 to know what we're shooting and make sure your
8 shot counts. That's a good hunter, in my
9 opinion. So the thing about the horn
10 restrictions, I'll leave it up to the
11 biologists. I'm not a biologist, but we would
12 like for y'all to look into cutting down the
13 number of does, say, in west Alabama, Marengo,
14 Hale, Greene County. Look at the horn
15 restriction, see if it's going to help. Is it
16 going to go the wrong way? But the third
17 question I had is what is the game plan. What
18 is the state of Alabama -- five years from
19 now, I'm going to come here and address most
20 of y'all. Where are we going to be with this
21 doe killing? There's no end to it in sight
22 that I can see. It's doe killing, kill
23 anything that moves. And I think everybody in

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1 this room just about agrees with that. And I
2 appreciate it, gentlemen.

3 CHAIRMAN MOULTRIE: In response to
4 that, real quickly, I'd like to ask Mr. Moody
5 to respond to that quickly about -- if you can
6 in a quick fashion, Gary, on some of those
7 issues. On a long-term thing, what's the
8 State's position?

9 MR. MOODY: It is certainly
10 complicated, and it would take a long time.
11 And very briefly, we are certainly very
12 liberal with our season opportunities, our bag
13 limit opportunities. But work with your
14 biologist. And what the objective is, is to
15 allow each landowner to get their deer herd
16 within the character passage of that property
17 and then have the tools to maintain them in
18 that character passage. Some take a lot of
19 does and some don't. And that depends on how
20 aggressive you've been in the past and what
21 you want to do and to meet the objective that
22 you establish for the property that you're
23 managing. So it's a set of tools for you to

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1 meet the objectives that you want to meet.
2 We've got biologists all across this state to
3 help you if you want to ask questions that
4 will come visit you on your property and
5 discuss all these things with you in person if
6 you would like them to do so.

7 CHAIRMAN MOULTRIE: Thank you.
8 Next, I'd like to call Mr. Tim Gothard.

9 UNIDENTIFIED SPEAKER: Mr. Gothard
10 had to leave. If it's all right I'm the past
11 president of Alabama Wildlife. He just wanted
12 to commend the board on their actions, to try
13 to speak to the members and say how much we
14 appreciate that and say thank you.

15 CHAIRMAN MOULTRIE: Next, Mr. Howard
16 Burns from Blount County.

17 MR. BURNS: I've already spoken.

18 CHAIRMAN MOULTRIE: Mr. Keith
19 McCartney from Elmore County.

20 MR. McCARTNEY: I'm Keith
21 McCartney. Gentlemen, you've already covered
22 my biggest concern, which was the feeding and
23 baiting issue. I don't see it as being such a

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1 complicated situation because there's not a
2 law that says you can't supplemental feed
3 right now, but if it's still there ten days
4 before you hunt, then it's not feed anymore,
5 it's bait. It seems like it's pretty simple.
6 I have got some friends in Louisiana that have
7 been hunting over legal bait for quite a
8 while, and I'll let you know that all of them
9 do hunt over a pile of corn. And every single
10 one of them wish that there was not a law that
11 allowed them to do that. They do that because
12 their neighbor is going to do it if they
13 don't, and they do it in self-defense is the
14 reason they do it. And I'll move on to
15 another thing I want to make a quick comment
16 on and that is I do want to thank you for your
17 actions that you did about eight years ago in
18 restricting the dog hunting in parts of Elmore
19 County. I happen to live in that part of the
20 county and it was a madhouse until that was
21 done, and it's been very calm and peaceful
22 ever since then. And one more quick thing is
23 I know that some of the counties are operating

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1 under a permit system for dog hunting, and
2 you'll probably hear people from Coosa County
3 say that it's working in Coosa County. And
4 I'll let you know that I hunt in Coosa County,
5 and where I hunt it is not working. And when
6 those persons -- they're not breaking the
7 law. When they release those dogs, they're on
8 their own property, but those dogs are right
9 quickly on property where they should not be.
10 I don't know what can be done about it. I
11 know a lot of these dog hunters. I like
12 them. They're good folks good. But it's a
13 situation -- what they're doing is interfering
14 with property. Thank you.

15 CHAIRMAN MOULTRIE: Next, I'd like
16 to call Mr. Harlen from Cedar Bluff.

17 MR. STARR: Mr. Chairman,
18 commissioner, members of the board. I'm
19 Harlen Starr president of the Alabama State
20 Chapter of National Wild Turkey Federation.
21 You've made my job here easy today. I just
22 want to commend and thank you for the stance
23 you took on the baiting issue. Thank you very

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1 much.

2 CHAIRMAN MOULTRIE: Thank you,
3 Mr. Starr. Next I'd like to call Mr. Randy
4 Yeargan from Clanton, Alabama.

5 MR. YEARGAN: Mr. Chairman,
6 Mr. Commissioner, members of the board. I'd
7 like to thank all of you for allowing all of
8 us to speak to you today. We appreciate all
9 of y'all's time. I'm the state president of
10 Bowhunters of Alabama. As well as some of the
11 other people here today, y'all have made some
12 of my issues a lot easier too. I would like
13 to thank the majority of the board for the
14 stance that you have taken on the baiting bill
15 and let you know that our organization stands
16 with you on that, as well as most of these
17 other organizations. One other issue that we
18 would like to bring before the board --
19 Mr. Commissioner, I want to give this to you
20 and -- a formal proposal from our organization
21 -- is that as an organization we have decided
22 that we are not necessarily against the muzzle
23 loader season and it taking necessarily away

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1 from -- this year, it took away three days
2 from our archery only season. We're not
3 opposed to muzzle loaders as an organization.
4 What our organization wanted me to bring to
5 you as a board would be that they first
6 discussed that we wanted the same number of
7 days of archery season only that we have had
8 in the past. With that it would make it
9 thirty-four to thirty-eight days I think it
10 brings it to. So what they wanted me to ask
11 this board to do would be to consider bringing
12 archery season in on October 1st or somewhere
13 in that range so that we have somewhere about
14 the same number of archery only days as we
15 have had in the past since their going to the
16 muzzle loader season. That's all that I
17 have. I appreciate your time.

18 CHAIRMAN MOULTRIE: Next, I'd like
19 to call Mack Barnett from Henry County.

20 MR. BARNETT: Mr. Chairman, members
21 of the committee. I'm here to ask y'all's
22 help on trying to do something with the dog
23 hunting or some of it in Henry County. I've

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1 had several instances that has been
2 harassment. I can't hunt on my own property
3 because the hunting club next to me runs dogs
4 through. They run my cows. At one particular
5 time, we kept up with it and we lost one to
6 five baby calves just during dog season
7 alone. I've had some of these members of the
8 hunting club to back up to -- pull to my gate
9 one morning, try to bust the lock off it, take
10 it off the hinge. He was asked to leave. He
11 did so. But that afternoon, he came back,
12 turned his dog loose right in front of the
13 gate running deer out the woods and out across
14 the rye field and shot it. And back on
15 Thanksgiving morning, my nephew shot a deer on
16 our place. He could not go to get it out the
17 way he had to. So he went around another way
18 on our property. When he got there, deer dogs
19 was all over it trying to eat on it. And I'd
20 just like for your committee if they would to
21 help you us any way you can.

22 CHAIRMAN MOULTRIE: Thank you,
23 Mr. Barnett. Next I'd like to call Mr. Warren
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1 Brown from Covington.
2 MR. BROWN: Ladies and gentlemen,
3 Mr. Chairman, distinguished members of the
4 board. I've been elected to speak for our
5 ninety-two landowners approximately that live
6 around the Conecuh National Forest and express
7 their appreciation to this board for
8 restricting the use of dog hunting in Conecuh
9 National Forest. The difference there is
10 totally amazing. You can drive through the
11 woods now without -- through the woods road
12 without being in fear of being run over. You
13 don't see armed men in the road. It's a
14 totally different world. And the response
15 about the more hunters or less hunters and
16 revenue, I have audited one store, and license
17 sales are up seventeen point two percent there
18 for out of state licenses, four and a half
19 percent for in state licenses, resulting in
20 twenty-four thousand dollars of revenue to the
21 state of Alabama in this one store only. So
22 once again, for me and my neighbors, we
23 appreciate you and look forward to more

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1 farsighted decisions. Thank you.

2 CHAIRMAN MOULTRIE: Next, I'd like
3 to call Phillip Cantrell from Franklin.

4 MR. CANTRELL: Mr. Chairman,
5 Mr. Commissioner, members of the board. I
6 want to thank you so much for putting a ban --
7 enacting a ban on the dog hunting in Franklin
8 County once again. Many of the people up my
9 way want me to say thank you as well for
10 enacting this ban because it's truly helped up
11 this way to bring about some peace between us,
12 the landowners and the hunters. I want to
13 thank you so much for this. Continue the good
14 work. Thank you again. Appreciate it.

15 CHAIRMAN MOULTRIE: Thank you,
16 Mr. Cantrell. Next I'd like to call Mr. John
17 Dicks from Crenshaw County, please.

18 MR. DICKS: Thank you for your
19 time. Mr. Coles, thank you the opportunity to
20 speak to you today. I'm a citizen and a
21 landowner in Crenshaw County and representing
22 approximately fifteen or twenty landowners in
23 the area. Some of which came with me today

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1 and they're representing probably about four
2 thousand acres of land, and we've got some
3 concern down there with one hunting club, one
4 deer dog hunting club. And earlier several
5 years ago, seven, eight, nine years ago, they
6 were quite a very easy bunch to get along
7 with. We had absolutely no problem. Over the
8 years, more and more out of the county people
9 have come in, and they're starting to hunt all
10 over, hunt on the -- park at the -- along the
11 fence, along the roads, block the pasture
12 gates. They don't care anything about where
13 they run their dogs or how they run them. At
14 this time, the confrontation is getting to the
15 point that something's going to happen. And
16 we have -- in the last three years, we had one
17 fifteen-year-old boy hunting on a hundred and
18 sixty acres of land that his grandmother owns
19 that was intimidated by three men. And I
20 really and truly hesitate to call the men
21 because I don't think they would have taunted
22 this young man the way they did. In fact,
23 excuse my French, they scared the hell out of

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1 him. And this problem is becoming more and
2 more aware. We're going to be working with
3 Mr. Louis Coles, our representative. We will
4 present a packet to you folks probably in the
5 May meeting. But this organization really and
6 truly is made up of gentlemen that really
7 don't give a flip. We are concerned over it
8 and we want your help. So basically what
9 we're asking for is your help, and we'd like
10 to -- appreciate all that you can do and you
11 folks have the power solely to correct this.
12 Now, this is the first time I've ever attended
13 one of your meetings. I was president of
14 Florida Wildlife Federation and served on the
15 governor's staff and worked with Bobby
16 Brantley and others. And quite frankly,
17 you've got a job to do. It's a hard job, so
18 we're all for you. Mr. Willis -- Mr.
19 Chairman, I'm sorry, he made a comment earlier
20 of big shot landowners. Can I get a
21 definition of that? I want to see if the shoe
22 fits.

23 CHAIRMAN MOULTRIE: Mr. Willis,
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1 would you care to answer that?
2 MR. WILLIS: What big shot
3 landowners are you talking about?
4 MR. DICKS: I don't know. You
5 mentioned that big shot landowners are causing
6 the problem, and I wanted to know your
7 definition of a big shot landowner.
8 CHAIRMAN MOULTRIE: Mr. Dicks, I
9 think that was Mr. Porter.
10 MR. PORTER: Call me at the office,
11 and I'll be glad to talk to you about it.
12 MR. WILLIS: I think he owes me an
13 apology.
14 CHAIRMAN MOULTRIE: Next, Wendell
15 Harmon, please, Chambers County.
16 MR. HARMON: First of all, I'd like
17 to thank all of you gentlemen for allowing me
18 to speak today. I guess I'm a big shot
19 landowner because I own approximately fifteen
20 hundred acres of land. I've lived on it, I've
21 worked on it, and I've hunted on it my entire
22 life. This land has been in my family for
23 seven generations. For the past seven years,
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1 I've had to deal with a hunting club who hunts
2 their dogs on my land repeatedly. Now, I've
3 confronted these individuals, and I have been
4 told all kind of excuses; our dogs can't read
5 posted signs, they don't know where land lines
6 are, once we turn our dogs out, we cannot
7 control them. I've also been told that you
8 don't own all the land in this area, so you
9 just need to shut your mouth and mind your own
10 business. That statement is true. I do not
11 own all the land, but what I own, I have the
12 right to do with as I choose, if I violate no
13 laws or if I do not infringe upon anyone
14 else's rights. I should be able to do
15 whatever I want and my rights should supersede
16 the rights that anyone else has with regard to
17 my property. No one's dog should be allowed
18 to come on my property unless I give them
19 permission, no way, shape, form, or fashion.
20 They do not have the right. It is my right to
21 choose what happens on my property. No one
22 else. I've called the enforcement division
23 many, many times. It has resulted in poor

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1 results at best, very poor. Now, I understand
2 that budget restraints and shortages. The
3 game wardens I have been in contact with have
4 been very courteous and very professional, and
5 they have tried their best to help. But in
6 many instances their hands are tied. It makes
7 me feel like the dogs and dog hunters have
8 more say on my land than I do. And most of my
9 troubles involve one particular hunting club
10 and a small splinter group that used to belong
11 to that club. They cannot control their dogs,
12 so therefore, they show that they have a lack
13 of responsibility for the actions of their
14 dogs or they disregard my rights. Now,
15 abolishing dog deer hunting in Alabama would
16 tremendously reduce the problems of a great
17 many landowners but that would be unfair to
18 the deer hunters that try to abide by the
19 rules. Outlawing deer hunting in Chambers
20 County would reduce my problems but that also
21 would be unfair. I have also been treated
22 unfairly, though, and where is my recourse.
23 That is why I come to you. My only recourse

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1 that I feel like is number one first and
2 foremost is, the Union Hill Hunting Club and
3 its members should have their dog deer hunting
4 permits permanently revoked. This will send a
5 very strong message that this type of action
6 cannot be tolerated. Thank you very much.

7 CHAIRMAN MOULTRIE: Paul and Larry
8 Jeffreys from Lamar County to the microphone,
9 please.

10 MR. PAUL JEFFREYS: This will be
11 very quick. I just want to thank y'all for
12 the restrictions from dog deer hunting in
13 Lamar County. I've heard countless reports
14 from individuals across the county that have
15 rekindled their hunting enthusiasm and --
16 because they do not have to worry about
17 confrontation with dog hunters. I this past
18 deer season took my four-year-old son hunting
19 for the first time because I did not have to
20 worry about having a confrontation with a dog
21 hunter. There was thirty-three complaints in
22 Lamar County. That was cut by approximately
23 fifty percent since y'all enacted this ban.

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1 And then communication with the deer processor
2 revealed that deer harvests were up. And I
3 want to encourage all these other counties
4 that have come here today to ask for bands to
5 keep up the work because the rewards far
6 outweigh the repercussions. Thank y'all very
7 much.

8 MR. LARRY JEFFREYS: My name is
9 Larry Jeffreys. I'm his father. I'm from
10 Detroit, Alabama, north of Lamar. I want to
11 thank y'all from the bottom of my heart for
12 what y'all have done for us. This past
13 Thanksgiving and Christmas was the first
14 Thanksgiving and Christmas that my family has
15 sat down to the table and enjoyed dinner in
16 peace and harmony. It's been so long I forgot
17 what it was like. It's just a new world
18 without dog deer hunters, and I want to thank
19 y'all for that. When Mr. Johnson was praying
20 earlier something stuck in my mind. All we
21 wanted is a safer place to live. Alabama has
22 always been a leader on the cutting edge of
23 technology in every field in my opinion. I've

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1 had one medical doctor, one dentist, two
2 attorneys, and one farmer ask me to ask y'all
3 to ban dog hunting for deer in Alabama
4 permanently all over the state of Alabama.

5 CHAIRMAN MOULTRIE: Mr. Jeffreys,
6 you're going to have to wind it down, please,
7 sir.

8 MR. LARRY JEFFREYS: One judge
9 expressed to me that this needed to be done.
10 And I'm going to ask you myself. Would y'all
11 please ban dog deer hunting in state of
12 Alabama permanently all over the state? Thank
13 you.

14 CHAIRMAN MOULTRIE: When the dog
15 hunters come up, there will be several
16 exceptions just like there was for
17 Mr. Jeffreys. So don't -- we're going to make
18 it fair and equal. If there's someone who has
19 a good topic. Mr. Jeffreys is doing a good
20 job. The dog hunters will also have their
21 time. Mr. John Jordan.

22 MR. JORDAN: I'm John Jordan from
23 Dale County. I'm a landowner in the northeast
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1 corner of Dale County. I represent several
2 other landowners and several hunting clubs in
3 my area. We're having a very difficult time
4 with dog deer hunting clubs in the area,
5 mostly just one. We've been denied access to
6 our own property. We're being denied the
7 ability to hunt in peace and quiet. We
8 purchased or we leased this land. We're doing
9 everything we can to be good stewards of the
10 land and manage our deer herd, and every
11 hunting season it gets continually worse every
12 year. We have less and less ability to hunt
13 our property. We don't even hunt anywhere
14 near the highways anymore because they fly up
15 the highways and shoot up and down the roads,
16 all across the woods. They turn their dogs
17 loose on the highway and run it back towards
18 their land which is a mile away. I'm here
19 asking you for help in this. Whatever y'all
20 can do.

21 CHAIRMAN MOULTRIE: Thank you,
22 Mr. Jordan. Next Mr. Benny McGee from Winston
23 County.

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1 MR. McGEE: Chairman, both
2 commissioners, board members. We have
3 submitted a (inaudible) in Winston County. We
4 submitted a petition two years ago and have
5 resubmitted one this year for a ban on dog
6 deer hunting. And I think we have a unique
7 problem because we are the only county in our
8 area that has dog hunting on forestland. So
9 we get people from every surrounding county
10 comes in, and, you know, people that are
11 visiting don't care what they do. So I think
12 we have a unique problem because of the
13 forestland in our area. And I'm asking for
14 y'all to help us if you can. Thank you.

15 CHAIRMAN MOULTRIE: Thank you,
16 Mr. Mack McGee. Next, Stedman Shealy from
17 Henry County, please.

18 MR. SHEALY: Two years ago I spoke
19 to the board -- and I know it's changed -- and
20 tried to let you know what's going on in Henry
21 County. Since that time, I've had the
22 privilege to represent about approximately
23 seventy-five landowners and an additional

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1 fifty or so lessees. We've had a little
2 meeting because we're having a tremendous
3 problem in Henry County with dog hunters. Let
4 me just be a little personal. I live on my
5 farm. I vote in Henry County. I have been
6 there about four years. I bought the land
7 nine years ago. And for the last nine years,
8 every weekend, every holiday, and sometimes
9 during the week, dogs have run my property
10 without exception. There are four dog hunting
11 clubs that hunt around my property. A lot of
12 them are friends of mine. I'm not anti dog
13 hunting. If people want to hunt dogs they can
14 hunt them. But after nine years of abuse of
15 running dogs on my land enough's enough. You
16 know, I thought this was America. I'm a
17 lawyer. I have means. I can do all kind of
18 things, but I've tried to handle this
19 situation the best I knew how. The first
20 thing I did was I built a dog fence of
21 approximately a mile. I paid the money. I
22 built the fence. Well, that didn't work.
23 They run the dogs up north and then came down

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1 on me. Well, after a while, I said, okay,
2 I'll buy another seven hundred and fifty
3 acres. Maybe that will eliminate them running
4 dogs on my land. That didn't work. They
5 still run them. And I guess the last straw is
6 this, it's when my children are outside
7 playing and they hunt from the road and they
8 shoot towards the direction of my children,
9 enough is enough. Okay. Enough is enough.
10 There's one club, they hunt up and down my
11 road and they shoot on the road continually.
12 Ask your game warden. They tried to catch
13 them for nine years. I'm asking you to help
14 us in Henry County. And it's not an issue of
15 dog hunting or stalk hunting. It's the issue
16 of they trespass. Their dogs run me
17 continually. And sometimes I stop them on the
18 road and I say, how many are hunting. Well,
19 there's two of us, there's four of us. I say,
20 well, how do you expect to catch your dogs.
21 That's why they're all on my property. And
22 that's the abuse as a landowner that I get
23 continually, without exception, every weekend,

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1 every holiday. And enough is enough, and we
2 need your help. Thank you.

3 CHAIRMAN MOULTRIE: Next I'd like to
4 call Mr. Gene Tibbets from Butler County.
5 Mr. Tibbets, are you here? Next I'd like to
6 call Mr. Lynn Weens from Henry County.

7 MR. WEENS: Thank y'all for the
8 opportunity to speak. My name is Lynn Weens,
9 and I'm from Henry County. And I don't own
10 one foot of land in Henry County other than
11 the part that I'm on, but I oversee a little
12 over a thousand acres that I look after.
13 Mr. Shealy was talking about holidays,
14 weekends are ruined. My problem five of seven
15 days out of every week I have dog hunting
16 going on. Well, Lynn used to dog hunt. I did
17 back in the '70s. We had about ten thousand
18 acres to hunt on, and we could not keep them
19 confined at that. It grieves my heart that it
20 has come to this, but Henry County has got a
21 lot of turmoil and pressure is building over
22 this dog hunting situation. And I don't have
23 a problem with guys running dogs in my company

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1 on my property. But when they start turning
2 directly on me from the road, yes, sir, I've
3 got a problem with it, and it's fixing to
4 stop. If I take a leave of absence next year
5 when dog season is in from my work, I will
6 catch them. Y'all can mark that down. It's
7 gone on -- things have changed. The guy that
8 -- the first time he ever rode up on a
9 motorized vehicle and immediately got throwed
10 off and cussed that thing for everything it
11 was worth, but he finally had to change.
12 There's a change in the environment of Henry
13 County, a change in circumstances. There's a
14 lot of money tied into leasing land. And then
15 dog hunters do the same thing. They have to
16 lease a lot of land. But I'd just like to ask
17 for some consideration of the landowners that
18 have a problem with the things that go on on
19 their property. They should be taken into
20 consideration. I mean, you want to pay taxes
21 on it, and they should have some privileges of
22 say so on what happens on their land. And I
23 just appreciate the time to come before y'all

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1 to speak.

2 CHAIRMAN MOULTRIE: Thank you.

3 Next, Mr. Rick Yeager from Henry County.

4 MR. YEAGER: Thank you,

5 Mr. Chairman, members of the board. I'll try

6 to make this brief. It's hard to make it

7 brief because I have a long story. In my

8 opinion and that of the thirty-one --

9 CHAIRMAN MOULTRIE: Approach the
10 microphone a little closer.

11 MR. YEAGER: Dog hunting has become
12 a dangerous and disrespectful technique of
13 hunting in our area. We sit in our tree
14 stands or ground blinds or on our private
15 property quietly waiting for the chance to
16 shoot a buck. The dogs come in about every
17 day of the week and all of time on the
18 weekends and holidays as these other gentlemen
19 just said. The dogs are put in on the border
20 or our land. They're dropped off on the
21 border of our land. And this is accomplished
22 by putting about thirty or forty corn feeders
23 up and down the border of our land. They have

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1 two or three hundred acres. They put out the
2 corn. The deer live in our pine planted
3 forest. We have a management trophy program
4 in effect. We try to raise our deer. We
5 don't shoot anything under a three point.
6 They have purchased or they lease that three
7 hundred. They've also got another three
8 hundred down from it. And now they have
9 eleven hundred that kind of L angles around
10 our property. When opening morning starts, we
11 hear the dogs start up. We have our little
12 microphone radios on so we can communicate
13 between each other with my son or my wife or
14 the other family members that are out there.
15 And we hear the dog hunters set the dogs
16 loose. They go straight into our property,
17 which is the bedding area because all their
18 property is fields and a little bit of open
19 hardwoods. So needless to say, all the dogs
20 run into our property. When they start
21 shooting, we have to start jumping out of
22 trees, coming out of blinds not to get shot
23 at. I've had bullets go through the trees

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1 where I'm sitting. My sixteen-year-old son
2 had a bullet hit a tree about six feet from
3 him this past season. We can't manage and
4 have a property management program for deer
5 when we have dog hunters running our property
6 continuously. And they do it with intent.
7 They put the dogs out on one side, run it
8 through our property, get on the radios, talk
9 to each other and talk about the dogs are in
10 our hunting hole now. Well, the hunting hole
11 is our property, three thousand acres,
12 thirty-one families trying to hunt, still hunt
13 and stalk hunt. It's gotten out of hand.
14 It's dangerous. Three points on a side is a
15 good rule because it makes you have to look at
16 what you're shooting at.

17 CHAIRMAN MOULTRIE: Thank you.
18 Ms. Chiquita Baker, Franklin County.

19 MS. BAKER: I'm Chiquita Baker from
20 Franklin County. In 1998, the eastern portion
21 of Franklin was granted a ban against dog deer
22 hunting, and I want to thank that past board
23 for banning dog hunting in our area and to let

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1 you know that it really works. We don't have
2 any conflict in our area anymore. We've had
3 the best deer season we've ever had and the
4 turkey population seems to be returning. We
5 didn't see any turkey in the past, and we're
6 seeing a few now. So that's great. Many
7 landowners from across Franklin County have
8 asked me to express their appreciation for the
9 ban last year. We certainly thank you from
10 bottom of our hearts. We thank you for
11 banning dog hunting in Franklin County last
12 year. Thank you.

13 CHAIRMAN MOULTRIE: Thank you,
14 Ms. Baker. Mr. Bill Cheshire from Henry
15 County.

16 MR. CHESHIRE: Good evening,
17 gentlemen. I belong to a still hunting club
18 that is joined by a lot of dog hunting land in
19 close proximity. We hunt in an area that's
20 got a lot of bottoms and what have you. We
21 have no problem with the dog hunters. I hear
22 all these bad remarks. If it was that bad,
23 I'd quit hunting. I've never been sitting in

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1 a tree where a shot was fired in my
2 direction. I've never seen these guys hunting
3 from the road. If I was the game warden, I'd
4 be out there checking on all this stuff, but I
5 don't think it exists as they say it does.
6 And I say the dog hunting is not a detrimental
7 thing to deer hunting. A dog is no more than
8 just another predator for a deer. The human
9 is the predator. And I say that dog hunting
10 needs to stay right where it is. Thank you.

11 CHAIRMAN MOULTRIE: Thank you.
12 Mr. Don Cochran from Lamar County, please.

13 MR. COCHRAN: I appreciate the
14 opportunity to be able to be here with you
15 this afternoon. I had a whole list of stuff
16 that I was going to go over but time is
17 running short. And we'll just cover it right
18 quick. Mr. Johnson, I want to thank you for
19 your invocation this morning remembering our
20 servicemen in prayer. We need more of it.
21 I'd like to thank Corky here and Mr. Sparks on
22 the CWD follow-up. I remember talking about
23 that last year, and they just made me feel

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1 good to sit there and hear y'all talk about it
2 and know y'all are on the ball looking out for
3 us. And we'll get into the economy a little
4 bit in Lamar County. We didn't give up any
5 land this year. We thought we was going to.
6 But we cut back on our seed and our feed that
7 we put out. I talked to a number of the
8 merchants around Vernon and others. They said
9 their business was down because people left.
10 They're not there hunting. As far s the
11 baiting goes, I'm against baiting. Like I
12 said on the land and the seed we cut way back
13 on the cost of it because we didn't have the
14 people. I'd just like again to thank each one
15 of you. Tell your wife and children that we
16 thank them too for the time y'all put in.
17 Thank you very much.

18 CHAIRMAN MOULTRIE: Thank you,
19 Mr. Cochran. Mr. Paul Goodson from Dale
20 County.

21 MR. GOODSON: Gentlemen, thank you.
22 I hunt in the Baker Hill Hunting Club in north
23 Dale County. And we are in favor of keeping
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1 dog hunting rights for dog hunters that want
2 to hunt dogs. When we hunt up there, if we
3 have any problems, I don't know about it. The
4 other gentlemen up here talking about Dale
5 County, I don't know where his land is or
6 whatever, but I'm a first generation dog
7 hunter. I raised my son to dog hunt. I've
8 got grandkids that love to dog hunt. You
9 gentlemen have a very, very hard job ahead of
10 you. You've got to take what everybody is
11 saying and put it together and come up with a
12 decision of what to do. And we appreciate the
13 opportunity to come here.

14 CHAIRMAN MOULTRIE: Next we have
15 Jeff Goodson from Henry County.

16 MR. GOODSON: Good afternoon. Thank
17 you for your time, and I hope you appreciate
18 mine. I also want to thank y'all for all your
19 restrictions you placed on dog hunting in
20 Henry County the past years. We appreciate
21 that. We were raised dog hunting. It's
22 something we enjoy, and we do the best of our
23 ability -- I know I do and my family --

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1 keeping our dogs on our property. It's been
2 -- the last time I know was three years ago.
3 And I'm talking about my dogs. Maybe I have
4 special dogs. I don't know. I do say a
5 prayer every time before I turn my dogs out.
6 Maybe that's the big factor in it. But that's
7 just me and that's the way I go. And when my
8 children get back and we turn the dogs out,
9 they say a little prayer as well. There are a
10 few things I'd like to bring up. We also hunt
11 in two still hunting clubs. And all three of
12 these clubs I'm in are in Henry County. All
13 these three clubs, they're all in favor of dog
14 hunting. They don't have a problem with dog
15 hunting. There's three other clubs that still
16 hunt only with the exception they'll call me
17 one or two times each year and ask me to come
18 bring my dogs to their still hunting club to
19 run dogs one or two days during the season.
20 If you ban dog hunting, you're taking that
21 opportunity away from them as well. They
22 prefer to still hunt, but they also like this
23 opportunity to support it. Someone may

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1 primarily deer hunt, but they might go quail
2 hunting one day. There's dog hunting clubs
3 that are adjoining both still hunting clubs
4 I'm in. We don't have any problem with those
5 dog hunting clubs. Sometime their dogs do
6 come across the land. We've had three people
7 last year that killed deer when those dogs
8 were running. They caught them and got them
9 up. All of them are very good stewards of
10 those dog hunting clubs. Dog hunting clubs in
11 our area have implemented their own
12 regulations for guidelines for the amount of
13 does and bucks. In the past six weeks, a
14 topic has come up, I suppose with the large
15 number of land and timber companies and farmer
16 and landowners of Henry County. Some of these
17 people hunt their own property. Some of them
18 lease their land to dog hunting clubs. Some
19 of them lease it to still hunting clubs. My
20 best calculations out of the number I talked
21 to, ninety-two, ninety-four percent of these
22 landowners in Henry County are in favor of dog
23 hunting. They have no opposition to it. You

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1 know, that's not a total count, but that is
2 probably -- my estimation is somewhere between
3 twenty-five and thirty-five thousand acres of
4 what these farmers, landowners, and timber
5 companies that they have on there. That's
6 nowhere near the whole total of the count.
7 Like I said, they're in favor of dog hunting
8 in Henry County. On behalf of all these Henry
9 County residents, I urge you to please leave
10 the dog hunting as it is. Banning dog hunting
11 would intentionally and absolutely interfere
12 with the way I hunt. I have not seen any
13 threatening incidents from still hunting clubs
14 I've been in or from my dog hunting
15 experiences. I have not seen any violence or
16 threatening incidents. I like hunting, you
17 know, as much anybody, but if you were to ban
18 dog hunting, well, I tell you what, I'd also
19 have the most peaceful Thanksgiving I've ever
20 had because I wouldn't be hunting. I'd be at
21 home with my family all day long. You know, a
22 man can stand up here and make accusations
23 without proof. And because of that, that's

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1 wrong. I would much rather lose my right to
2 dog hunt by telling y'all the truth than to
3 gain something by making accusations I could
4 not prove. And I thank y'all for your time.

5 CHAIRMAN MOULTRIE: We have a
6 question from the board.

7 MR. COLES: Mr. Goodson, the rest of
8 the speakers have listed the name of the club
9 that they're in, the dog hunting club. What
10 dog hunting club are you in?

11 MR. GOODSON: I am in the Wells
12 Branch Hunting Club in Henry County. I'm also
13 in the White Creek Deer Hunting Club, and the
14 Triple Branch Hunting Club. Those two are
15 still hunting.

16 CHAIRMAN MOULTRIE: Thank you,
17 Mr. Goodson. Next, M.C. Grantham, Covington
18 County. Okay. Next, Mr. Ricky Hayes from
19 Henry County.

20 MR. HAYES: Mr. Chairman, members of
21 the board. I'm Ricky Hayes from Henry
22 County. I've lived there, own a home, eighty
23 some odd acres there. Like most of the people

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1 my age, I enjoy deer hunting. I've been doing
2 so most all of my life. My preference is to
3 deer hunt with dogs. I know that over time
4 you've heard all the arguments, allegations,
5 and accusations that can be made between dog
6 hunters and stalk hunters. It's not my
7 intentions to (inaudible) on either group.
8 There are responsible, safe, and considerate
9 hunters on either side. There are a few
10 rogues on either side as well. Out of all
11 those I hunt with are fully behind every
12 reasonable effort that can be made in Henry
13 County about these rogue hunters. You can
14 eliminate dog deer hunting in Henry County and
15 that would put a few rogue hunters out of
16 business. You can eliminate hunting with
17 rifles and that will put a similar number
18 out. That's not what I call reasonable.
19 Regulations that would in effect deny hunting
20 by either group is not what is called for in
21 Henry County. The hunting club I belong to is
22 the Peterman Creek Hunting Club. We lease
23 approximately three thousand acres, and some

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1 of our twenty-five members hunt with dogs
2 exclusively; some stalk hunt exclusively.
3 Most hunt with dogs until about mid afternoon
4 and then take the stand. Dog hunting and
5 stand take place on the same property, the
6 same day on the same ground. And we're able
7 to harvest quality buck either way. Stalk
8 hunters argue this can't be done. Somehow we
9 manage to do it. The club to the north has
10 approximately twenty-five members,
11 twenty-eight hundred acres of land, and our
12 relationship with them is financial. We
13 permit them to cross our property to get to
14 their property. They've never had a reason to
15 complain to the game warden about us, and we
16 never have about them. The club to the west
17 leases about eight hundred acres. We cross
18 their corners, and they cross our corners.
19 Likewise, we have no problems with them. To
20 our east is the U.S. Army Corps of Engineers.
21 If their rangers have had any problem with us,
22 they haven't mentioned it. This summer our
23 club participated in a huge fishing

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1 tournament. They have plenty of opportunities
2 to tell us if they have a problem, and they've
3 never done so. The club to the south is a
4 disappointing section that we share with the
5 stalk hunting clubs around us. These hunters
6 know no more about the property lines than it
7 seems the dogs do. They continually cross our
8 property lines with their four-wheelers and go
9 anywhere they want to. On occasion, they've
10 harassed and killed our dogs, and we'd like to
11 see you keep dog hunting as it is in Henry
12 County. Thank you.

13 CHAIRMAN MOULTRIE: Thank you. I'd
14 like to call Mr. John Huggins from Covington
15 County, please.

16 MR. HUGGHINS: I'm present, but I
17 didn't request to speak today.

18 CHAIRMAN MOULTRIE: Kenny Jackson
19 from Henry County.

20 MR. JACKSON: I'm Kenny Jackson from
21 Henry County with Wells Branch Hunting Club.
22 I'm the president of Wells Branch Hunting
23 Club. I've been a member there and hunted on

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1 the same land for twenty-three years. In that
2 time, there has never been but one ticket
3 issued to a dog hunter or this club. And it
4 was not from shooting from the road. It was
5 not from trespassing. We are a safe club.
6 The majority of our members are business
7 owners. We are not outlaws. There's a lot of
8 things that has been said today. There have
9 been a lot of things that have been said in
10 the last few weeks that I'm kind of like some
11 others that said I would rather get up here
12 and say the truth than let the untruths be
13 said because that is -- we have been hunting
14 in this club all these many years, and for the
15 last several years, we have had nothing but
16 trouble with the landowner next door. We do
17 not want to stoop to the places that he has
18 been just to fuss and complain. We have
19 avoided every way we could and every action
20 that he has done toward us in our club. We
21 have tried to help. We have fixed fences. We
22 have cut new roads. We have done everything
23 in our power to try to do better. We have

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1 governed our club members. We have -- our
2 dogs, we have kept up better with them than we
3 ever have. We've learned a lot from this. We
4 are trying. It's not that we're not trying.
5 There's a lot of things that have been going
6 on, and I can name a bunch of things that have
7 happened to provoke us to do something
8 violent, but it has not worked and it will not
9 work in my club. It will not work. But it
10 has been tried in every way to provoke us to
11 do something wrong. After all these things,
12 you know, we're just -- we're all out there
13 trying to have a good time. Just like
14 everybody else. We want to enjoy the
15 resources of the state of Alabama. We want to
16 have fun just like everybody else and teach
17 our kids how to enjoy it and the safe way to
18 hunt. And we have had the biologists on our
19 land and we have been by their rules and we
20 have done the things that they have said. And
21 I think every club in Henry County has done
22 that. And we thank you all for listening to
23 our side of the story. And the reason, like I

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1 said, we haven't ever been here before we
2 didn't want to stoop to the fussing and
3 arguing that some of the other people have.
4 Thank you.

5 CHAIRMAN MOULTRIE: Next, I'd like
6 Don Knight from Anniston.

7 MR. KNIGHT: Good evening. We want
8 to start today by asking y'all to reopen the
9 counties that you shut down last year. We
10 understand that we have problems on both
11 sides, but shutting them down is not the
12 answer. Enforcement, raising the fines -- and
13 I think each of you got a letter from Larry
14 Davis with some ideas on stuff that we'd like
15 to sit down and talk with you about and make
16 efforts to make sure that the landowners or
17 the people that don't like dog hunting versus
18 the people that do like dog hunting can get
19 along. But in those counties that you shut
20 down we need to get the senior citizens, the
21 young people that are out, the people that are
22 losing their land, we need to get them back
23 hunting. We don't need to lose any people in

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1 the state of Alabama from hunting. And they
2 are losing them. They're losing their leases
3 ever day. Their leases will come up this year
4 about June, and they need to know. We talked
5 them into keeping their leases most of last
6 year. They won't be able to keep them this
7 year without the dog hunters to help pay the
8 leases. Most of those people -- and I know
9 some don't believe it -- they quit hunting
10 when they can't run their dogs. You've just
11 got to understand that. Our dog hunting --
12 we're out there every day trying to educate
13 the people, trying to teach them a better
14 way. If you've got a problem with people
15 sitting in trees around you, shoot buckshot.
16 Don't let that rifle go off. There's all kind
17 of ways to help solve problems. We just need
18 to sit down and do it instead of closing
19 counties. I want you to understand our
20 organization is against the baiting bill. We
21 think it's a terrible bill. We think it would
22 do nothing but drive a wedge. Like Mr. Porter
23 said, I don't think it will do anything but

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1 drive a wedge between the wealthy hunters and
2 the average hunters. And this is a wedge that
3 we don't need in there. We're against the
4 horn regulations. We just feel like also that
5 the clubs and individuals should make that
6 decision. They know what's on their land.
7 They know what they need to do. They've got
8 the facilities. Gary Moody and them will come
9 in and help us if we need their questions.
10 And we just think the people can make those
11 decisions on their own as to what deer they
12 need to raise. We need to be working toward
13 hunter participation, not closing any form of
14 hunting. I don't care what it is. Like the
15 man come up here and said that we needed to go
16 back to the flint locks on the black powder
17 guns. We sure don't want to do away with that
18 compound bow. We don't need to go there. If
19 you want to hunt, hunt. Don't try to regulate
20 the black powder guns versus the bows or
21 anything like that. I do all of it, so I'm
22 talking about myself. I wanted to thank
23 Mr. Porter, Mr. Hatley. I want to thank all

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1 the rest of you. This is one of the first
2 board meetings I've been to in a long time,
3 and I've been to many of them where the people
4 said something about the average hunter in the
5 state of Alabama. And I'm going stand here
6 and tell you with the closing of dog deer
7 hunting or any other form of hunting and the
8 way that the bills are going through congress
9 -- and there's another one there I want to
10 ask you about. But there's also a bill -- and
11 it may be dead. I've been tied up for the
12 last couple of weeks -- that ends deer season,
13 bow season and gun season, on February 14th.
14 It is a bill. I've got a copy of it. That's
15 the worst thing I could ever think of
16 happening in this state. That will absolutely
17 put the average wage hunter in the state of
18 Alabama out of hunting if we run that season
19 into February. Because nobody else will be
20 hunting except just a little bit in the
21 panhandle of Florida. They will all come to
22 this state, lease the land. It will go so
23 high we will lose the residents of the state

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1 of Alabama. That's just something that cannot
2 happen, and I promise you we will support
3 y'all on this baiting bill. But we need to
4 look into that bill and make sure it gets
5 killed, too. That is not a good bill.

6 CHAIRMAN MOULTRIE: Thank you.
7 Mr. Robert Martin.

8 MR. MARTIN: I decline to speak.

9 CHAIRMAN MOULTRIE: Mr. Rhett
10 McCollough from Coffee County.

11 MR. MCCOLLOUGH: Mr. Chairman, one
12 thing I found when I got here that I wasn't
13 aware of and I'd like to touch on it a little
14 bit -- and I would like to poll the audience.

15 CHAIRMAN MOULTRIE: I don't know
16 about that, but go ahead and tell us and then
17 we'll make a decision.

18 MR. MCCOLLOUGH: I'd like to prove a
19 point on how many people actually stalk hunt
20 only and how many dog hunt and how many do
21 both.

22 MR. MOULTRIE: Does anyone on the
23 board have an objection to that? All the

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1 people -- you ask your question the way you'd
2 like to see it asked.

3 MR. MCCOLLOUGH: How many of you
4 stalk hunt only?

5 UNIDENTIFIED SPEAKER: A lot of
6 people have already left.

7 CHAIRMAN MOULTRIE: Address the
8 chair, please. Let the fellow at the
9 microphone have his time.

10 MR. MCCOLLOUGH: How many of you dog
11 hunt only? And I mean only dog hunt with
12 deer. How many do both? I think my point
13 just got made.

14 CHAIRMAN MOULTRIE: What was your
15 point, Mr. McCollough?

16 MR. MCCOLLOUGH: Going back to what
17 I was touching on. This is still stalk hunt
18 USA. We have stood by and watched our
19 management programs go to waste because dog
20 hunting clubs ruin the herds and our herd
21 management. We spend thousands of dollars to
22 plant, lease, pay taxes and manage our
23 properties. So do we as the dog hunting

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1 club. We do the same thing. Our club each
2 year has a barbecue for the landowners. We
3 hunt about eight thousand acres. This past
4 February -- and it's the first Saturday in
5 February that we've done that for the past
6 twenty-eight years. And I haven't heard
7 anything here today that cannot be worked out
8 or a solution reached. I think you as a board
9 and us as individuals can reach a compromise
10 on the dog hunting and stalk hunting issue.
11 And I'm totally in favor of dog hunting
12 whether it be deer, quail, rabbit, coon. It
13 doesn't make a difference. Thank you.

14 CHAIRMAN MOULTRIE: Thank you. I'd
15 like to call Mr. Richard Meadows from Henry
16 County.

17 DR. MEADOWS: I'm Dr. Richard
18 Meadows. I live in Abbeville in Henry
19 County. I appreciate the opportunity to
20 address you guys. I'm here to talk about dog
21 hunting in Henry County. I'm for dog hunting
22 in Henry County. I enjoy stalk hunting. I
23 enjoy hunting from a stand and I enjoy deer

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1 hunting with dogs. Each of those type hunting
2 has its own particular pleasures and its own
3 challenge, but dog hunting in Henry County is
4 part of the heritage of hunting in Henry
5 County. It's allowed me the opportunity to
6 take all three of my children who are now
7 twenty-two, fifteen, and twelve hunting with
8 me even when they were in car seats. I didn't
9 see many deer during that time but we had a
10 lot of time together and that's what was
11 important to me is that I spent that with my
12 family and it gave me the opportunity to teach
13 my children valuable lessons about hunting and
14 what's ethical and what's right and wrong and
15 about life. I've watched many of you in
16 Abbeville grow up. I've seen them grow into
17 good and ethical hunters and good and ethical
18 citizens of Henry County. And part of that is
19 due to their social interaction and the
20 teachings that they received while they were
21 gone hunting with their parents and their
22 friends. Now, I've heard a lot of accusations
23 made. Many of the accusations that I've heard

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1 made are either made by people who are
2 misinformed in their statement or who are at
3 best exaggerating. Now, I think that all
4 hunters have a responsibility to hunt
5 ethically and legally. And any hunter whether
6 he's a stalk hunter or a dog hunter who
7 willfully violates the law and hunts
8 unethically is wrong. But I believe that the
9 majority of hunters try to hunt ethically, and
10 I know for sure that the hunters that I hunt
11 with try to hunt ethically and legally. And I
12 urge this board to not let the actions or the
13 rhetoric of a few dictate the policies of the
14 majority of the ethical hunters in Henry
15 County. Let us continue to enjoy stalk
16 hunting, stand hunting, and dog hunting and
17 help us preserve these activities for future
18 generations. Thank you.

19 CHAIRMAN MOULTRIE: Thank you.
20 Mr. Wynnton Melton from Geneva County.

21 MR. MELTON: I was going to commend
22 and congratulate all of y'all, but three
23 minutes won't give us enough time to do that

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1 so we'll move right on into the show. I
2 registered out there as a dog deer hunter. I
3 didn't know whether to do that or register to
4 speak on the endangered species because we are
5 one in the same. It seems to be going more so
6 every year. But I have a lot of problems
7 understanding the reason and rationale for
8 that. There are plenty of deer to hunt,
9 there's plenty of land to hunt. And I believe
10 if we just use a little common sense, sit down
11 and look at what we're doing, back off and
12 respect our neighbor, fail to get that big
13 buck sometimes when we get in a big hurry, you
14 know, folks go kind of crazy when they see a
15 big buck deer. I don't care if they're a dog
16 hunter or a stalk hunter and they put good
17 common sense and logic aside just to try to
18 harvest one deer and hurt themselves in the
19 long-run. To my deer dog hunting friends, I'm
20 going to tell you right up front, we need not
21 only to support some increased regulations and
22 measures to help us keep our sport, we need to
23 go out and look for those reasons and

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1 regulations. We need to invent them. We need
2 to find out what it's going to take to keep
3 hunters off the roads. We need to look at our
4 dogs and the kind we're running, see what we
5 can do to reduce the dog trespassing. We need
6 to take it upon ourselves and take the
7 responsibility upon ourself to do everything
8 we can to reduce these problems. You,
9 gentlemen, have got a hard job, but my
10 challenge to you is not to overreact. Do not
11 take extreme action, because when you kill it,
12 you kill it. It's dead. Everything else is
13 an aggravation. It's dead. It can't come
14 back. It won't come back. It's dead.
15 Doesn't need to happen. Doesn't need to
16 happen. There's room for all of us. There's
17 room for all of us to hunt and to enjoy our
18 sport reasonably and respect the rights of
19 others. It's not as difficult as it may
20 seem. It takes just a little discipline, and
21 that discipline we need to encourage in our
22 young people or our old people and to all of
23 us. By the way, two hundred seventy-one

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1 thousand hunters, two hundred seventy-one
2 thousand licenses, three hundred and forty
3 thousand licenses in the mid '70s. I got that
4 from the hunter education course book that you
5 give us. I teach that. I appreciate all that
6 you do. Let's work together to solve our
7 problems. Let's don't kill off each other
8 like a bunch of buzzards trying to attack a
9 dead armadillo or something.

10 CHAIRMAN MOULTRIE: Thank you,
11 Mr. Melton. I'd like to call Mr. Skip Rainer
12 from Elba.

13 MR. RAINER: Thank you,
14 Mr. Chairman, commissioner, and members of the
15 advisory board. I'm a landowner in Coffee
16 County, Alabama, and I'm speaking on behalf of
17 several landowners representing about three
18 thousand acres in about four linear miles that
19 border between two hunting clubs that stalk
20 hunt and dog hunt. And we don't have any
21 problems. And I think it's because the
22 members are ethical hunters. They're polite,
23 courteous, and they respect the landowners'

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1 rights. In addition to the three thousand
2 acres I represent, I've got a letter here from
3 Mr. Hunter Flack who owns quite a bit of land
4 in Alabama, the majority -- he's a majority
5 landowner in Coffee County. To whom it may
6 concern, J.H. Flack leases to Red Oak Hunting
7 Club a thousand and thirty-four acres
8 recreational land in Coffee County, Alabama.
9 Red Oak Hunting Club has had this property
10 leased for approximately thirty years. As a
11 property owner, I have no complaints with
12 their style of hunting or fishing and have not
13 received any complaints because of either in
14 the entire period of their lease. Sincerely,
15 J.H. Flack. Two hunting clubs that we split
16 are Red Oak Hunting Club and (inaudible) Creek
17 Hunting Club. Mr. Flack mentioned styles of
18 hunting, and there are different styles of
19 hunting. As you know, with the exception of
20 turkey hunting, dogs are used in all of those
21 types of hunting, including deer. This nation
22 was founded on freedom and I would like to ask
23 that you earn the freedom of choice for those

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1 who wish to hunt deer with dogs and allow them
2 to do that. Thank you.

3 CHAIRMAN MOULTRIE: I'd like to call
4 Mr. Tommy Sanders from Franklin County.

5 MR. SANDERS: I'm Tommy Sanders from
6 Franklin County. Mr. Lawley, Mr. Moultrie,
7 and the board, it's my pleasure to be here.
8 Each one of you have a manila folder in front
9 of you. There's a lot of dissatisfied
10 people. And we've had a lot of elder people
11 in our club that's been there for a long time
12 that has quit and a lot of youth, too. Youth
13 come out and hunt for about two weeks this
14 year and the weather changed and they quit
15 hunting. We need to keep our youth in hunting
16 if we can. And lot of the issues I've heard
17 here today, if I were a big landowner and had
18 a lot of stuff going on that I've heard today
19 somebody would be prosecuted because I would
20 know who was doing it. Somebody don't run
21 over you day in and out and get by with it
22 without some type action being took. And I
23 would know who it would be and they would be

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1 prosecuted. But I would like to ask this
2 board if they would to give us our privilege
3 of running dogs in Franklin County back to
4 us. I would appreciate it. Thank you.

5 CHAIRMAN MOULTRIE: Thank you. I'd
6 like to call George Taylor from Henry County.

7 MR. TAYLOR: Thank you. I'm a
8 middle-sized landowner in Henry County and my
9 wife and I own about eight hundred and
10 eighty-four acres located on County Roads 143
11 and 214 in Abbeville. And I'm going to cut
12 this short because I had a five minute talk
13 and narrowed it down to three. Anyway, after
14 reading the complaints in the Dothan Eagle --
15 and I gave you a copy of that -- it says
16 landowners and hunters clash. And the Henry
17 County landowners association was gotten up by
18 Steve Stokes talking about dog hunting in
19 Henry County and they do not represent the
20 majority landowner in Henry County. I checked
21 with the Henry County Sheriffs Office, and I
22 found that Mr. Stedman Shealy and Dr. Stokes
23 filed a complaint for theft of property, and

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1 Dr. Stokes filed a complaint for trespass last
2 April. Theft of property has nothing to do
3 with hunting and people don't run deer dogs in
4 April. Also checked with the conservation
5 office in my county. They stated not a single
6 case has been made against anyone or any dog
7 hunter for trespassing or the casting of
8 hounds on any land owned or leased by
9 Mr. Shealy or Dr. Stokes. Mr. Shealy
10 complained -- he said that when someone
11 started shooting toward his children he got
12 really upset. I fully agree with that. I
13 think that's his right. My question is, why
14 didn't Mr. Shealy swear our a warrant have
15 these people arrested. The same thing with
16 Mr. Dallas Hartzog who claims he was
17 threatened with a gun. Why didn't Mr. Hartzog
18 swear out a warrant for these people? Dr.
19 Stokes publicly announce in a meeting that he
20 killed three dogs and would have killed four
21 had he not run out of ammo. My wife and I own
22 horses. I certainly hope none of my stock
23 wanders on his land. In closing, I'd like to

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1 say, we've got a lot of complaints, but no
2 convictions. And it looks to me like a lot of
3 these complaints are all show and no go.
4 Thank you very much.

5 CHAIRMAN MOULTRIE: Mr. Willis, do
6 you have a question?

7 MR. WILLIS: I would like to ask a
8 question, if it's an appropriate question
9 here, along about the time we were trying to
10 do that amendment a while ago, Mr. Coles had
11 read something about a change in gun season
12 and crossbow season. He wants to know what
13 was decided on that. There was never nothing
14 else said about it.

15 CHAIRMAN MOULTRIE: We're fixing to
16 go into other business. Let's decide the next
17 meeting site and time, and then we'll talk
18 about other business and we'll bring that up.
19 The next order of business is the selection of
20 2004 summer meeting location. The proposed
21 date is May 22 at the Talladega International
22 Motor Sports Hall of Fame or Gulf Shores. Is
23 there a motion to have it there. Mr. Self?

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1 MR. SELF: I'd like to make the
2 motion that the chairman and the commissioner
3 select the site for the next meeting.

4 CHAIRMAN MOULTRIE: Is there a
5 second?

6 MR. HATLEY: I second.

7 CHAIRMAN MOULTRIE: The motion is
8 that the chairman and commissioner decide the
9 site of the next meeting. Is there any
10 discussion, Mr. Self? Any of the board? No
11 discussion. All in favor raise your hands.
12 All opposed? Motion carries. Now, the next
13 order of business is any other business.
14 Mr. Coles, can you restate the muzzle loader
15 the muscle and crossbow information that
16 Mr. Willis was talking about?

17 MR. COLES: Yes, sir. The
18 recommendations on concerning crossbow season
19 we recommend we establish a crossbow season to
20 run concurrent to the muzzle loader season.
21 The season will allow deer hunting with
22 crossbow beginning the first week prior to the
23 opening of modern gun deer season and

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1 extending until January 31, allowable
2 (inaudible) on crossbows to be determined by
3 the department, draw weights, air lengths,
4 sights, et cetera.

5 CHAIRMAN MOULTRIE: These are
6 recommendations from the special committee for
7 the board just to take notice of; is that
8 correct?

9 MR. WILLIS: That will be voted on?

10 CHAIRMAN MOULTRIE: If someone makes
11 a motion, yes.

12 MR. WILLIS: Motion.

13 CHAIRMAN MOULTRIE: Any other
14 business, Mr. Hatley.

15 MR. HATLEY: You didn't have any age
16 restriction on that.

17 CHAIRMAN MOULTRIE: No, there is no
18 age restriction. Is there any other
19 business? The other recommendation we had
20 regarding muzzle loader season was
21 recommending increasing from three days to
22 seven days. The season would allow deer
23 hunting with the muzzle loader beginning one

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1 week prior to the opening of modern gun deer
2 season and extending until January 31. The
3 same policy on that, Mr. Coles.

4 MR. COLES: It's up to the board for
5 review.

6 CHAIRMAN MOULTRIE: Is there any
7 other business?

8 MR. SELF: I'd like to make a motion
9 that all regulations of the Department of
10 Conservation and Natural Resources be
11 approved.

12 CHAIRMAN MOULTRIE: Is there a
13 second.

14 MR. HATLEY: Second.

15 CHAIRMAN MOULTRIE: The motion is
16 that all regulations of the Department of
17 Conservation and natural resources be
18 approved. Is there any discussion, Mr. Self?

19 MR. SELF: No discussion.

20 CHAIRMAN MOULTRIE: Any other
21 discussion? All in favor, raise your hand.
22 Motion carries. Since there's no further
23 business, this meeting is adjourned.

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1
2 (The proceedings concluded at 2:48 p.m., March
3 6, 2004.)

4 * * * * *

5 REPORTER'S CERTIFICATE

6 * * * * *

7 STATE OF ALABAMA

8 COUNTY OF MONTGOMERY

9 I, Stacey L. Johnson, CSR and
10 Commissioner for the State at Large, do hereby
11 certify that I reported the hearing in the
12 matter of:

13 THE DEPARTMENT OF CONSERVATION
14 on the 6th day of March, 2004.

15 The foregoing 231 computer-printed
16 pages contain a true and correct transcript to
17 the best of my ability.

18 I further certify that I am neither of
19 kin nor of counsel to the parties to said
20 cause, nor in any manner interested in the
21 results thereof.

22 This 6th day of April, 2004.

23
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STACEY L. JOHNSON, Certified
Shorthand Reporter and
Commissioner for the State of
Alabama at Large.

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